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ABSTRACT

This report is designed to provide members of Congress and the general public with information about the National School Lunch Program (NSLP), in light of the fact that a number of provisions of the National School Lunch and Child Nutrition Acts are to be reauthorized during the current congressional term. It contains a description of the NSLP and its current funding levels, along with an analysis of the relationship between NSLP disbursements to schools to cover program administration costs and school participation in the NSLP. The impact of hunger and malnutrition on student achievement is also reviewed. The bulk of the report consists of five appendixes which provide: (1) a narrative legislative history and analysis of child nutrition programs enacted since 1945; (2) letters from Senators Patrick J. Leahy (Vermont) and Richard Lugar (Indiana) in support of NSLP reauthorization; (3) letters from educational groups to members of Congress supporting NSLP reauthorization; (4) letters from state agencies to members of Congress supporting NSLP reauthorization; and (5) a 90-item annotated bibliography of materials concerning child nutrition. (MDM)

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CHILD NUTRITION PROGRAMS: ISSUES FOR THE 103D CONGRESS

PREPARED FOR THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

SECOND SESSION

JANUARY, 1994

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PREFACE

December 1993.

During the second session of the 103rd Congress, the Education and Labor Committee will reauthorize expiring programs under the National School Lunch and Child Nutrition Acts. This document is designed to provide information to Members of Congress and the general public regarding the broad range of issues that will be discussed during the course of the child nutrition reauthorization, including the relationship between nutrition and learning, the importance of greater program access, the need to improve the nutritional quality of the meals, and the necessity of general support (Section 4) funding as the basic underpinning of the program.

The importance of the child nutrition programs cannot be overestimated. In 1992, the National School Lunch Program provided over 24 million meals to our Nation's school children and nearly 5 million children received breakfast through the School Breakfast Program. Approximately one-half of the lunches were served at no cost or at a reduced-price to the student. For many of these children, this lunch and/or breakfast was their only nutritious meal for the day.

The National School Lunch Program was established in 1946 "as a measure of national security" because so many World War II draftees had failed their physical examinations due to nutrition related deficiencies. The nutritional well-being of our children remains inextricably linked to the Nation's well-being. In the months ahead, Congress will work to reform our Nation's health care system. In this effort, we cannot forget that the cornerstone of good health and the prevention of disease is good nutrition. Congress will also vote on measures to improve our federal elementary and secondary education programs. It is a well-known fact that an undernourished child does not have the capacity to benefit fully from the lessons offered in the classroom. Therefore, proper nutrition is a key component to our ability to reform our Nation's education program and raise student achievement.

Inadequate food intake limits children's ability to learn about their world, because chronically undernourished children must use their energy for tasks in order of most importance. Energy must first be used for maintenance of critical organ function, second for growth, and last for social interaction and overall cognitive functioning. Hungry children have shortened attention spans and are unable to perform tasks as well as their nourished peers as indicated earlier, good nutrition is the keystone to ensuring that children are ready to learn every day that they come to school.

Research continues to show that the federal child nutrition programs are extremely effective tools in fighting hunger. Program supporters spent much of the decade fighting proposals which attempted to dismantle the lunch program by eliminating or reducing general support, the Section 4 payments. Section 4 of the National School Lunch Act provides a reimbursement to schools for every meal served—regardless of the child's family income. Opponents of Section 4 contend that these funds constitute a welfare payment for the wealthy. Nothing could be further from the truth. Section 4 is not a direct payment to an individual; instead, the payment constitutes a grant-in-aid to the school to support the infrastructure of the lunch program.

The participation of children from non low-income families is essential to the economy of scale necessary to keep a school lunch program economically viable in most schools. The Section 4 payment helps schools keep the full price of meals low enough to encourage paying customers to participate, thereby helping to make the program available to all, including those most in need.

History has demonstrated a direct relationship between reducing (or eliminating) Section 4 funds and declines in program participation. In 1980, 26.6 million students participated in the School Lunch Program. In 1981, Section 4 was reduced by 30 percent, which resulted in the 1982 participation rates dropping to 22.9 million. Unfortunately, the cut in Section 4 payments affected all school lunch participants—not just the paying child—because many schools decided to drop the program entirely, thereby leaving many of the free and reduced price lunch students without the nourishment they require to perform well in school.

Maintaining program access is of paramount concern, but we have the opportunity and challenge in this reauthorization to do much more than that. This document contains an explanation of Section 4 funding and its importance; a summary of the research concerning the relationship between hunger, malnutrition, and learning; a legislative history of the programs; and appendices with letters, articles, and supplementary information regarding child nutrition programs.

We would like to thank everyone who contributed their time and expertise to this report, including: Dr. Josephine Martin, Director, Food Service Management Institute; Dr. Kathleen Stitt of the University of Alabama; Mary Nix, School Food Service Consultant; Maria Balakshin, Chair of State Directors; and members of the American School Food Service Association. We also want to give special thanks to Jean Yavis Jones, Specialist in Food and Agriculture Policy with the Congressional Research Service, for compiling the legislative history and program analysis.

DALE E. KILDEE,
Chairman, Subcommittee on Elementary, Secondary, and Vocational Education.

WILLIAM F. GOODLING,
Ranking Republican, Committee on Education and Labor.

WILLIAM D. FORD,
Chairman, Committee on Education and Labor.

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BACKGROUND AND DESCRIPTION OF THE NATIONAL SCHOOL LUNCH PROGRAM

INTRODUCTION

The National School Lunch Program (NSLP) is an insurance policy for the nation's future. The more than 24 million meals served by the program per day play an essential role in insuring that our children are alert, healthy, and ready to take advantage of lessons offered in the classroom. This ability is key to fulfilling the hope that our children will grow up to be vital members of their communities and productive workers in a competitive world economy.

The National School Lunch Act (NSLA) was enacted in 1946, at the end of World War II, because so many draftees had failed their physical examinations due to nutrition related deficiencies.

The stated purpose of the act was, and is today, "as a measure of national security, to safeguard the health and well-being of the Nation's children * * *"

The NSLP is the largest federal child nutrition program, and the second largest single source of federal funding for elementary and secondary schools. Approximately one-half of the 24 million meals served per day are provided free or at reduced-price to children from low-income families. The other half are purchased by non-poor children who pay the "full" price as set by local school officials.

Other federal child nutrition programs that help insure our children's health and ability to learn include: school breakfast; child and adult care food; summer food; and the special milk program.

A. FUNDING

In fiscal year 1994 the federal child nutrition budget was approximately $6.9 billion.

	Billions
School lunch	$4.327
School breakfast	.908
Summer food	.255
Child and adult care food program	1.583
Nutrition education and training	.010
Special milk	.020
State administrative expenses	.087
Commodity procurement	.243
Food Service Management Institute	.002

Funding for the Special Supplemental Food Program for Women, Infants, and Children (WIC) program, approximately $3.2 billion, is not included in the child nutrition account.

In addition to the federal support for child nutrition there are state matching requirements, and students themselves contribute billions of dollars to the school nutrition programs. In total, school food service is over a $10 billion program, and represents approximately 10 percent of all food purchased away from home.

Children from families with incomes below 130 percent of the poverty line receive meals at no cost. Children with family incomes between 130% and 185% of the poverty line can purchase a reduced-price lunch for $0.40 per meal.

The NSLP is entitlement in nature, which means local schools are entitled, by law, to a fixed federal reimbursement for each school lunch served consistent with USDA nutrition guidelines.

During the 1993–94 school year the federal reimbursement rates are $1.56 for each free lunch served and $1.16 for each reduced-price lunch served (in the contiguous states). These reimbursements are paid pursuant to Section 11 of the NSLA. In addition, USDA gives schools 16.5 cents for each meal served, regardless of the income of the student's family. These payments are required by Section 4 of the NSLA. Over and above these cash support payments, USDA provides to schools an assortment of entitlement commodities equalling 14 cents per meal and bonus or "surplus" commodities, when available from USDA holdings. In sum, the federal support for a free lunch is $1.739 per meal (cash and commodities); $1.341 for a reduced-price lunch; and 30.5 cents for all other lunches.

B. SECTION 4

The Section 4 grant-in-aid payments (16.5 cents) are intended to support the basic infrastructure of the NSLP and act as an incentive for schools to operate the program. This incentive has proven effective. Over 90 percent of all schools participate in the NSLP even though it is not a federally mandated program.

Historically, the Section 4 grant-in-aid was the first type of federal support for the lunch program. Section 11 support for low-income children was not added until 1962. These basic payments constitute the program's foundation and make it viable for schools. The reasons for continuing this support are detailed in the following section of this print. Some of the primary reasons include: Section 4 payments are not a transfer payment to wealthy students, but a grant-in-aid to schools; the school lunch program is an education and health program which makes it inappropriate to use income security criteria when analyzing the effectiveness of Section 4 support; and Section 4 federal reimbursements keep the school meal price within reach of the middle-class students whose participation is essential to the program.

C. SUMMARY

The NSLP is a uniquely structured program. Serving over 24 million children a day, it relies upon federal, state, and individual sources of funding. It serves all of the nation's children while taking special care to provide free and reduced-price lunches to low-income children. Less than 15 percent of the federal child nutrition dollars are given to schools without regard to the income of the children participating in the school lunch program, yet it is this support that makes the program available to all children.

It is true that all children can learn, and equally true that all children must eat. This program is the linchpin. It provides food to all children, so that all children might learn.

RELATIONSHIP BETWEEN SECTION 4 (GENERAL ASSISTANCE FUNDING) AND SCHOOL LUNCH PARTICIPATION

Background

The General Assistance provision (Section 4) of the National School Lunch Act (NSLA) provides basic funding to support the infrastructure of the School Lunch Program in nearly 90 thousand schools. Since the National School Lunch Act passed in 1946, Section 4 has been the basis for the maintenance of the voluntary program by school administrators. The 1946 National School Lunch Act defined two purposes: to safeguard the health and well-being of the nation's children, and to expand the market for nutritious agricultural commodities. The impetus for the establishment of a national program emerged from the World War II finding that many young men were ineligible for the draft because of physical deficiencies related to malnutrition. The NSLA provided for General Cash Assistance to support the infrastructure of the program and for the provision of funds to purchase USDA commodities to enrich the food offered to students. The legislation included requirements concerning both the meals and program operation. Meals were to be based on tested nutritional research, to be available to all children including those unable to pay, and to meet safety and sanitation requirements. The program was to be operated in an accountable manner. Six months after the NSLA was enacted, President Harry Truman said, "I hope this program will be expanded until we are sure that every American school child gets an adequate diet."

The program operated for 20 years with minimum changes. In the sixties our nation became aware of the widespread prevalence of hunger and of the relationship between a child's ability to perform in school and his/her nutritional status. In 1966 Congress passed The Child Nutrition Act. That Act begins with these words:

> In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened . . . as a measure to safeguard the health and well-being of the Nation's Children . . . to meet more effectively the nutritional needs of our children.

Access to school meals for all children regardless of economic status was assured in 1972 when Congress amended the National School Lunch Act. The amendments provided both supplemental funding and a process for children who met federal guidelines to receive meals at no cost or at a reduced cost. The program infrastructure was supported by General Assistance Funding (Section 4).

Although it appeared that the program infrastructure was complete, another component was needed in order for the program to achieve its mission. Through many Congressional hearings in both the House of Representatives and the Senate, members heard witnesses testify to the need for a bridge between the cafeteria and the classroom. Offering nutritionally sound meals was not enough to change food behaviors; students needed to learn why nutrition is important and how to make healthy food choices in the cafeteria. To accomplish this goal, teachers and food service personnel needed training and parents needed to be involved.

The Child Nutrition Act was amended in 1977 to provide for a nutrition education component.

> (Section 19–CNA) begins: Congress finds that the proper nutrition of the Nation's children is a matter of highest priority; the lack of understanding of the principles of good nutrition and their relationship to health can contribute to a child's rejection of highly nutritious foods . . . and there is a need to create opportunities for children to learn about the importance of the principles of good nutrition in their daily lives and how these principles are applied in the school cafeteria.

Federal school lunch support received by schools pursuant to Section 4 (better known as General Cash Assistance) supports the basic infrastructure of the School Lunch Program and concomitantly supports the School Breakfast Program as it operates in those same schools. While the total number of students participating in the School Lunch Program determines the amount of Section 4 funding a school receives, Section 4 is not a welfare program for the rich or middle class. There are many children from affluent and middle income homes who are "nutritionally poor." In addition, the health and education consequences of poor nutrition or hungry children are not "means-tested." Section 4 is a grant-in-aid to help schools/districts defray the cost of school lunch operations. The amount of Section 4 funds a school/district receives is based on total student participation, regardless of income.

RELATIONSHIP BETWEEN SECTION 4 FUNDING AND PARTICIPATION

In 1980, approximately 27 million school lunches were served each day and 55.2% were served to students who paid "full price" for those meals. In 1981 the Administration proposed a complete elimination of Section 4 believing that there was no relationship between Section 4 payments and student participation. It was argued that elimination of Section 4 would have no effect on student participation; that students would simply pay more for their lunches. It did not appear that consideration was given to the potential of schools dropping the program if Section 4 was withdrawn.

Section 4 was not eliminated, as was proposed, but it was reduced significantly, by approximately 30%. As a result, the sale price of a school lunch increased and school lunch participation dropped from 26 million each day to 23 million. A number of schools withdrew from the program. Approximately one million of the three million children forced from the program were poor children who had formerly received a free or reduced-price lunch, but were eliminated when their school dropped the program.

The National Evaluation of School Nutrition Programs conducted by the USDA in 1982 pursuant to a Senate Resolution reported a direct link between the price of the school lunch and student participation. That report concluded "the price that a student pays for the meal is the most important single variable that affects the frequency of lunch participation." The influence of all of the other factors described are substantially smaller than the influence of meal price. For school lunch "above a price of 80 cents, it is estimated that a 10% increase in price will yield a 10% or higher decrease in participation."

The level of Section 4 funding has a direct relationship between the price students pay for a "full price" school lunch and the number of students who participate in the program (or buy school lunches). When Section 4 funds are reduced either directly, or indirectly through inflation and/or increased costs, the sale price of a school lunch goes up and the number of paying students buying lunches goes down. In addition, the number of schools that receive most of their federal support from Section 4 tend to consider dropping the program; or since 1988, schools may consider offering another meal service or "a la carte food service" or pay by the item. In either case the nutrition goals of the program are often compromised and the economically needy child loses access.

In 1985, the Library of Congress was asked to look at the relationship between school lunch participation program and Section 4 subsidies. The Library of Congress concluded that "those schools with the highest proportion of paid lunches (or lowest proportion of free or reduced-price lunches) will be most dramatically affected by the elimination of the paid subsidy and thus, perhaps at most risk of dropping from the program entirely. If such schools drop the program, all children will lose access to the program." According to the Library Report, there were 17,900 schools where 80 percent or more of the students paid "full" price for a school lunch; there were 43,867 schools with 60% or more "paid participation." Based on the data in the Library of Congress Report, the American School Food Service Association (ASFSA) estimated that if Section 4 were withdrawn, 10,000 to 15,000 schools would drop the program and 5 to 8 million children would loose access to school meals.

While the schools with the lower proportion of needy children are most vulnerable and may withdraw from the National School Lunch Program, it is important to look at numbers of needy children in those schools. Some of those schools or districts have much larger numbers of children who qualify for free or reduced meals than schools with a more balanced ratio of free and reduced. For example, School District A which has an enrollment of 3,000 students and 60% needy has 1800 children who qualify for free/reduced meals and School District B with an enrollment of 60,000 with 10% needy has 6,000 students who qualify for free/reduced meals. School District B is more vulnerable for dropping the program or offering an alternative food service to students who have money to pay.

When a school withdraws from the program, all students, including low income students, are left on their own. When a school offers an array of a la carte items, those students who have money often select that option, leaving the low income children in the "school lunch" line. In many instances, we are told that low income children choose not to eat, rather than to accept the stigma of going through what appears to be "the free lunch line." As was often stated at the Hunger Forum in June 1993, one basic need for all the food programs is to "preserve human dignity." In Greene County, Georgia, where the school district chose to initiate the option of providing meals at no cost to all children, it was noted during the first weeks that students who qualified for free meals under the guidelines waited for the paying students to participate before they would participate . . . and with this option participation in the high school has increased from 675/day to 975/day.

FROM 1988 TO 1993

Participation has slowly increased since 1981. The average daily participation for the third cumulative quarter of FY 1993 (ending June 1993) was 24.9 million. Both free and reduced price participation increased from a year before, but full-price meals declined 2.1%, as noted in Figure 1. Free lunches exceeded paid lunches for the first time in 1993. One should also note that school enrollment has increased in this one year by 1.7% (OCT 1992). As a result of increased enrollment, the percent of students participating in the program has declined to 57.7%. (SFS Research Review. 17 (2) 1993)

About 1.6 million fewer paying students participated in the program in 1992 than in 1981. Participation of paying students is dropping each year and is a major concern of State Child Nutrition Directors. Participation by reduced price participants also declined by 1.1 million over the period of 1981–1992. (Source: Congressional Research Service) Schools are continuing to withdraw from the School Lunch Program. (Attachment A)

SCHOOL LUNCH COSTS HAVE INCREASED: SALE PRICES HAVE INCREASED

Although Section 4 funding has not been reduced since 1988, the funding in FY 1992 was slightly less in real dollar (inflation adjusted) terms according to information from the Congressional Research Service. In terms of real dollars, school lunch funding is one-tenth of one percent less than it was ten years ago. In addition, numerous economic conditions have eroded the buying power of Section 4 funds:

A small but constant increase in cost of food;

The higher cost of labor reflects increased fringe benefits including the cost of health care, the Minimum Wage increase, and supply and demand of labor;

The increased assessment on programs for indirect costs by school districts and/or the decline in or withdrawal of state or local support for programs; and

The decline in value of government donated foods.

An example of a school district reducing support was shared by the food service director in Clayton County Schools, Georgia. She was notified in October 1993 that the school board would begin charging back at least $90,000 per month to cover costs previously paid by the board (Central office staff salaries and benefits). Clayton County's average daily participation is currently 27,541 or 78% of attendance. The charge back will add an additional 6% to the monthly operating costs. Although it is legal for school districts to charge these costs to school food service, this shift in funding will adversely impact the sale price and participation in the program. Comments from state and local directors throughout the nation indicate that increased numbers of school boards are expecting the programs to be self-supporting. (Note: Schools that have increased offerings of fresh fruits and vegetables and other items consistent with the recommendations of the Dietary Guidelines for Americans report increased food costs.)

Since 1981 and the reduction in Section 4 funds, School Food Authorities have lived under a cloud of proposals that would reduce Section 4. The FY 1993 budget was the first budget since 1981 that did not propose elimination or reduction of Section 4. The National Average Section 4 rate of reimbursement increased from 14 cents/lunch in 1988–89 to 16 cents/lunch in 1991–92. A survey of states indicated a median decline of 2.4 cents in the value of donated foods (bonus program) per lunch. The cost per lunch for equipment was the only cost item that declined in the state survey; this most likely reflects the use of these funds to partially offset the increased cost of food and labor; however, six Major City Directors reported an increase of one cent per lunch in equipment cost. When commodities are counted into the federal support for school lunch, the proportion of federal support to maintain the infrastructure has declined from 39% in FY 1981 to 13% in 1993. (Congressional Research Service)

Food service directors have coped with ways to make the school lunch program self-supporting. Consequently, they have looked for ways to increase revenue to keep the programs operating. In many instances the increased revenue has been derived from an alternative food program (a la carte) which often offers foods that are less nutritious than those offered in School Lunch or even contradictory to the recommendations of the Health Objectives of the Nation. The a la carte food program is available only to students who have money to pay for these food items.

Twenty-four state directors responded to a survey conducted by the National Food Service Management Institute in April, 1993. The purpose of the survey was to secure information about the current status of school lunch programs, concerns of state directors, and their views regarding program outlook. State Directors were asked to provide information relating to the program since 1988-89. A similar survey of a small sample of system level directors was conducted.

Information was obtained about food and labor costs, impact of site based management, barriers to participation and outlook for the program in their states. Information from that study which is related to the relationship of Section 4 funding to participation is included here.

COMPARISON OF FOOD AND LABOR COSTS[1]
[In cents]

	1988-89	1991-92	Difference
Purchased food cost/lunch	58.9	68.2	9.3
Labor cost/lunch	68.6	80.0	11.4
Increase in food and labor costs/lunch			20.3

[1] Data from 10 states

Food service directors in Fairfax County, Virginia; Dekalb County, Georgia; Broward and Polk Counties, Florida; Minneapolis; and Newark reported a median increase of 23 cents per lunch (for the six districts) in the cost of food and labor for the 1988–89 through 1991–92 period.

While the sale price of the meal is the largest determinant in a student's decision to buy a lunch, state directors reported other barriers to participation which in some instances continue to reflect financial constraints.

BARRIERS TO STUDENT PARTICIPATION REPORTED BY 24 STATE DIRECTORS

Barriers	Reported frequency	Barriers	Reported frequency
A la Carte Foods	17	Insensitive Staff/Administration	5
Scheduling/Time to Eat	16	Bus Schedules	5
Static/Decreased Funding	16	Space/Environment	4
Competitive Foods	8	Lack of Appealing Meals	4
Open Campus	6	Paperwork	2
Stigma/Ticket Handling	5		

In the NFSMI survey of a random group of system level directors the same barriers were identified. Comments from the state directors regarding Outlook and Participation Barriers are included in Attachment B.

A recent USDA release (October 1993) indicated that the average sale price of a school meal is currently $1.14. The increased meal costs for food and labor in combination with financial constraints on school districts are reflected in the increased average sale price to students. Some of the barriers to participation which have been identified relate to the constraints faced by food service directors to keep the programs operating and to respond to the school district financial need. While the numbers of free meals are increasing, the percentage of students approved for free and reduced meals who are actually participating is declining, as shown in Figure 2. There appears to be a relationship between the decline of participation by students eligible for free/reduced meals and the decline in the number of paying students who can no longer pay the higher sale price. Maintenance of Section 4 supports the program(s) for all students, including those who qualify for free/reduced meals.

SUMMARY: SECTION 4 SUPPORTS THE SCHOOL LUNCH INFRASTRUCTURE

Positioning the School Lunch Program as a nutrition program which operates as an integral part of a student's educational opportunity will provide positive support for student acceptance of nutritious meals and the recognition of need by school administrators for providing adequate scheduling for meals. Section 4 contributes to this positioning; it provides positive support to schools as they work toward the Health Objectives of the Nation and to the Education Goals: 2000. Proper nutrition helps students to be ready to learn when they enter the classroom. Regardless of family income, learning for a hungry child is impaired; regardless of family income, a poorly nourished child will suffer more health problems.

In a letter to the American School Food Service Association, President Bill Clinton said, "We have to provide for the basic dietary needs of our children before we can even begin to teach them in the classroom. The greatest teacher cannot teach a child who is unprepared to learn. Nutrition is important preventive medicine, protecting and nurturing our nation's most precious resource."

The National School Lunch Week Proclamation (October 8, 1993) included these words from The President: "Our commitment to the National School Lunch Program reflects our recognition of the importance of nutrition to our children's health and to our nation's future. * * * There is no longer any question that diet is related to health, and school meal programs should meet the Dietary Guidelines for Americans so that children get nutritious meals. Like preventive medicine, the value of school lunches will multiply and the benefits will last a lifetime."

An October news release from the USDA stated, "With the knowledge we have today linking diet with health, there are many more improvements to be made (in school lunch). Increasing the nutritional quality of the school meal program is an important element to improve national health. Because diet is linked to health, the school lunch program, serving 25 million children every school day is a first line of defense against poor health."

Section 4 funding provides motivation for schools to maintain the School Lunch program for all children. It supports the infrastructure for all school nutrition programs. Section 4 funding is related to student participation, and student participation is essential for the School Lunch Program to be maintained as a nutritional service for all students. All students need access to nutritious food consistent with the Dietary Guidelines for Americans and opportunities to learn to make wise food choices.

CONCLUSIONS: WHY SECTION 4?

Ten conclusions about the relationship between Section 4 and School Lunch participation:

Section 4 supports the infrastructure for the school lunch program and also the school breakfast and nutrition education programs.

Section 4 is not a subsidy for affluent/middle class families; it provides a financial incentive for schools to participate in the school lunch program and thereby supports the infrastructure for all school nutrition programs.

When Section 4 funds are reduced and sale prices to students are increased, paying students drop out of the program; schools with low percentages of economically needy children are vulnerable to dropping the program, and all students including the needy are left on their own to buy meals/food. Section 4 funds provide a necessary incentive for school administrators to participate in the voluntary program.

The price that a student pays for the meal is the most important single variable that affects school lunch participation. There appears to be a relationship between the decline of paying children and the decline in percentage participation of economically needy children.

Section 4 payments ensure that the program is available to all children. It is important that this program not be viewed as a "welfare program" because the welfare stigma of school lunch adversely impacts participation of all children; both those who can pay and those who are approved for free and reduced price meals. For example, even under the existing structure approximately 4 million children approved for free and reduced lunches do not participate in school lunch

As Section 4 funds are reduced or the buying power is eroded, schools turn to alternative meal service (a la carte) which often compromises both the nutritional standards of meals and access of economically needy children. Section 4 funds supports the program for all students.

Paying free and reduced price all students need to have their school day nutrition needs met in order to effectively perform in the classroom. Regardless of family income:

> A hungry child lacks energy to learn and energy to develop the necessary skills to function in society.
>
> Overnutrition and transient hunger impact a child's health status and learning ability. Health consequences of poor nutrition are not "means tested." A child who does not develop to his/her full potential is a missed opportunity for our nation's economic health.

Section 4, which supports the infrastructure for the school meal program, is an investment in education and in our national economy because school meals help to prepare students for learning.

NOTE.—Primary sources of data for this report: Child Nutrition Programs: Issues for the 101st Congress; National School Lunch Act; Child Nutrition Act of 1966 (PL 89–642); 1993 NFSMI State Director's Survey; ASFSA; USDA, FNS Final Reports, 1989–1993; School Food Service Research Review, Issue 2, 1993; Unpublished presentation, Congressional Research Service; Telephone interviews with Food Service Directors in Georgia.

Prepared by Dr. Josephine Martin, Executive Director, National Food Service Management Institute, and Mary Nix, School Food Service Consultant, Kennesaw, Georgia (Retired Director, Cobb County Schools, Georgia).

Attachment A

SCHOOLS THAT HAVE DROPPED THE NATIONAL SCHOOL LUNCH PROGRAM* 1989-93

Name of School(s)	Town	Enrollment	Estimated Number of Students Qualifying for Free and Reduced-Price Meals
Alaska			
Homer High School	Homer	457	42
Arizona			
Cactus High School	Peoria	1,569	65
Centennial High School	Peoria	327	22
Ironwood High School	Peoria	1,700	65
Peoria High School	Peoria	1,583	261
Yarnell Elementary		63	44
Corona del Sol High School		2,175	26
California			
Knights Ferry School District	Stanislaus Cty.	63	16
Evangelical Methodist Christian School	San Joaquin Cty.	93	4
Children's Garden Montessori School	Imperial Cty.	110	14
Prunedale Christian School	Monterey Cty.	108	–
First Lutheran Christian School	San Bernardino Cty.	173	5
Mt. Zion Christian School	San Bernardino Cty.	35	29
Hermosa Beach City School District	Los Angeles Cty.	35	29
Santa Clara Cty. Office of Education - Outdoor Education	Santa Clara Cty.	382	–
Equinox School District	Humboldt Cty.	56	7
Nevada County Sup. of Schools	Nevada Cty.	N/A	N/A
St. Joachim School	Orange Cty.	238	26
State Special Schools (2)	Sacramento Cty.	49	25
Bennett Valley Union School Dist.	Sonoma Cty.	990	45
Colorado			
Cherry Creek High School	Englewood	2,919	60
Cheyenne Mtn. High School	Colorado Springs	603	38
Brighton High School	Brighton	1,141	150
Manitou Springs High School	Manitou	388	13
Fairview High School	Boulder	1,282	80
Arapaho High School	Littleton	1,853	24
Boulder High School	Boulder	1,552	142
Widefield High School	Widefield	1,514	120
Bear Creek High School	Lakewood	1,853	156
Lake County High School	Leadville	291	83
Aspen High School	Aspen	379	N/A
Steamboat Springs High School	Steamboat Springs	443	18

*Not a complete list. None of the listed schools closed or merged with other schools.
N/A = Not available

SOURCE: ASFSA.

Connecticut			
3 schools	New Hartford	544	14
4 schools	Wilton	1,874	14
2 schools	Windsor	1,877	42
5 schools	East Lyme	2,418	79
1 high school	Region 1	475	12
Litchfield High School	Litchfield	275	8
Georgia			
Berean Elem. School	Atlanta	350	65
Fullington Academy	Pinehurst	312	2
Indiana			
Mishawaka High School	Mishawaka	1,522	150
Mizpah - SDA	Gary	54	8
Louisiana			
Cabrini High School		416	31
De La Salle High School		773	16
Trafton Academy	Baton Rouge	125	10
Grawood Christian	Keithville	141	7
Ephesus Academy	New Orleans	122	80
Maine			
Lisbon High School	Lisbon	440	97 (Free)
Presque Isle High	Presque Isle	743	156 (Free)
Falmouth High School	Falmouth	275	11 (Free)
Marshwood High School	Eliot	650	52 (Free)
Brunswick High School	Brunswick	973	107 (Free)
Gorham High School	Gorham	600	66 (Free)
George Stevens Academy		314	22 (Free)
Gray - New Glouster High School		558	67 (Free)
Kittery High School		350	42 (Free)
Massachusetts			
Mt. Carmel Elementary	Methuen	230	7
St. Bernard's Elementary	Fitchburg	224	9
Hellenic School	Lowell	N/A	N/A
Minnesota			
Edina High School	Edina	1,168	33
Valley View Jr. High	Edina	701	11
Southview Jr. High	Edina	602	12
Missouri			
Sacred Heart School	Florissant	500	5
St. Peter's School	St. Louis	335	3
Assumption School	St. Louis	450	6
St. Rose of Lima Elementary School	DeSoto	104	21
Nevada			
Baker School		30	–

*Not a complete list. None of the listed schools closed or merged with other schools.
N/A = Not available

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New Jersey			
Northern Highlands Reg. HS	Allendale	715	–
Bordentown Reg. H.S.	Bordentown	431	41
J. Mitchell/Spruce Run	Annandale	411	10
Patrick McGaheran	Annandale	400	9
Round Valley	Annandale	451	3
Central	E. Hanover	301	10
Frank J. Smith	E. Hanover	265	3
East Hanover Middle School	E. Hanover	370	8
Deane Porter	Rumson	306	5
Forrestdale	Rumson	375	11
Wenonah	Woodbury	200	6
Ramsey High School	Ramsey	743	4
Scotch Plains/Fanwood	Scotch Plains	1,115	16
Levingston High School	Essex Co.	1,283	3
Heritage Middle School	Essex Co.	502	10
Mt. Pleasant Middle School	Essex Co.	344	5
Burnet Hill	Essex Co.	243	0
Collins Elementary	Essex Co.	244	3
Harrison Elementary	Essex Co.	360	5
Hillside Elementary	Essex Co.	314	8
Mt. Pleasant Elementary	Essex Co.	331	1
Riker Hill Elementary	Essex Co.	265	5
New Mexico			
Los Alamos High School	Los Alamos	1,077	10
New York			
Port Jefferson CSD	Port Jefferson	1,393	33
Bay Point/Blue Point CSD	Bayport	2,050	166
SUNY Campus West	Buffalo	700	290
St. Anthony Padua	Endicott	101	5
Yeshiva Samuel Hirschs	Brooklyn	481	57
Bnos Israel	Brooklyn	469	61
Ohio			
Notre Dame	Toledo	736	12
Adrian Elementary	South Euclid	278	23
Ridgebury	Lyndhurt	195	9
Rowland	South Euclid	337	30
Southlyn	South Euclid	248	19
Sun View	Lyndhurst	180	5
Oregon			
Canby Union High School	Canby	1,128	86
Drewsey ES 13	Drewsey	15	–
St. Stephen's School	Portland	120	51
St. Mary of the Valley High School	Beaverton	164	8
Reedsport High School	Reedsport	454	81
Rhode Island			
Blessed Sacrament Elementary	Providence	175	15

*Not a complete list. None of the listed schools closed or merged with other schools.
N/A = Not available

Texas			
Richardson ISD	Dallas	7,268	150
Hurst-Euless-Bedford ISD	Fort Worth	3,751	60
Pflugerville ISD	Austin	1,451	64
Victoria ISD	Victoria	155	15
Round Rock ISD	Austin	1,875	75
Utah			
Park City High School	Park City	536	13
Dixie High School	St. George	903	83
Hurricane High School	Hurricane	450	88
Pine View School	Pine View	1,128	94
Vermont			
Vershire Elementary	Vershire	57	25
Sunderland Elementary	Sunderland	84	34
Virginia			
Lafayette High School	Williamsburg	1,597	134
Albemarle High School	Albemarle Cty.	1,590	38
Culpeper High School	Culpeper Cty.	975	61
Chesterfield Cty. High Schools	Chester	11,995	N/A
Fauquier High School	Warrenton	1,569	N/A
Washington			
Puyallup Valley Christian	Tacoma	234	16
People's Christian	Tacoma	495	17
Longview Christian	Longview	118	4
Seattle Country Day School	Seattle	260	–
Stein School	Edmonds	210	–
Wisconsin			
Lamb of God Christian	Madison	100	7
St. Paul Lutheran	Luxemburg	60	4
St. Edwards	Appleton	60	1
Blessed Sacrament	LaCrosse	283	–
St. John Lutheran	Wausau	73	5
St. John Grade School	Little Chute	462	20
Arcadia Catholic Upper	Arcadia	381	55
New Hope Christian	Crandon	23	25
Skeets Millard Valley	Boscobel	27	22
Bethlehem Lutheran	Milwaukee	101	49
Hillel Academy	Milwaukee	167	44
Lutheran H.S. Greater Sheboygan	Sheboygan	130	3
Siloah Lutheran School	Milwaukee	151	64
Holy Trinity Evangelical Lutheran Elementary School	Okauchee	55	5
St. Hubertus Grade School	Hubertus	110	2
Wyoming			
Jackson Hole High School	Jackson Hole	507	50

*Not a complete list. None of the listed schools closed or merged with other schools.
N/A – Not available

ATTACHMENT B

OUTLOOK AND BARRIERS—COMMENTS FROM STATE CHILD NUTRITION DIRECTORS

Alabama: Schools are seeing the usefulness of a la carte items as an additional income source, especially the espresso bars. Programs are tired of paperwork requirements of NSLP and often talk of dropping the program. We have too short eating periods in some areas, too many kids released at one time, and unfortunately, alternative places to eat on campus. We are seeing increasing competition from principals for the child's food dollar. Participation by paying students continues to drop as a la carte and competitive food sales increase.

Alaska: Our districts are small and most do not have a full time food service director.

Arizona: Sponsors are offering more entree choices. More interest in items from fast food chains (such as pizza) is evident. No state funding is available for school lunch programs and none is anticipated. The time allowed to eat rather than the number of lunch periods is the greater barrier to participation. Open campus policies allow the administration to "give" the students something. This affects good service, but would be difficult to stop.

Arkansas: A la carte foods remain a problem. Too many schools select items on the basis of profit margin rather than nutritional value. State funding has not increased in several years and the likelihood of its happening soon is not good. Inadequate time to eat has been identified by many parents as a problem. Lunch periods in many schools have been shortened in order to provide more time for academics.

California: Due to the continued budget crisis in California, state funding is not expected to increase. Paid participation has decreased over the past three years.

Florida: School lunch is mandated in all public schools. Florida is a heavy a la carte state because of competition from fast food industry and need to "pay for themselves." No increase in school lunch state funding. Paid school lunch participation has declined from 51% to 39% from 88–89 to 91–92. State requirements for instruction time coupled with unions leaves little time to negotiate for lunch and breakfast periods.

Georgia: As directors are asked to assume more of their program costs they are looking at a la carte as a means to finance; vendors and food chains are aggressively seeking a place in school food service; contractors, also, are trying, but not as aggressively as in some other states. State funding is increasing very slowly—we have not regained what we lost in 91–92; the future is dim regarding much increase. We are seeing only a slight decreasing trend in paying students, but the proliferation of a la carte will hasten it. And principals, as tax monies shrink, are looking for more ways to generate revenue, such as food sales. As more emphasis is put onto "time in class," and as populations grow/shift, making dining rooms too small, there is a great problem with scheduling.

Idaho: School lunch continues to increase about 3–5% per year. A la carte is minimal, usually in large schools only. No state funding is provided, except for matching requirements. Paying students have remained constant, around 56%.

Kansas: A la carte expansion is being encouraged to assist with the funding situation. We do not anticipate any changes in State funding. Merchandising and marketing ideas are encouraged to keep free/reduced/paid participation up. Open campus is probably the biggest challenge to participation.

Kentucky: State funding will continue at the minimum necessary per federal regulations due to budget shortfalls. A la carte is growing at the secondary level with participation by paying students falling. Transportation, short lunch periods, duty-free lunch, violations of competitive food regulations passed by the State Board and indifference on the part of middle and secondary principals all serve as barriers to participation.

Louisiana: A la carte is not allowed in our state based on a policy by the Board of Elementary and Secondary Education (BESE). State funding to the local school system seems to be shrinking. Participation of paying students for lunch are as follows:

	1988	1989	1990	1991	1992
Percent of paid	425	420	415	409	388
Decrease in participation		0247	0160	0056	0015

Meal periods should coincide with the seating capacity of the cafeteria

Maine: Increased a la carte sales down to the elementary level. Superintendents try to eliminate mandate for school lunch in elementary schools. Students are being priced out of the lunch program. Barriers to participation include: open campus and competition near schools; attitude of union lunch workers; retirement of long term employees with their positive attitude towards feeding children; and a la carte sales.

Maryland: The trend shows a decrease in paid meals, possibly due in part to the downturn in the economy. Also, though, we are seeing a la carte expansion, use of brands, and foods like fresh delivered pizza from fast-food chains. State funds are decreasing.

Minnesota: The number of schools offering a la carte programs have expanded as well as the number of items being offered within the a la carte program. Beginning in 90–91, the fully paid lunches have decreased. Barriers to participation have been bus schedules, supervision of nonparticipants and length of breakfast service.

Mississippi: No expansion of a la carte anticipated. State Board of Education policy limits a la carte to students who have purchased a reimbursable meal and the items to components of the meal. State funding is stable. Participation of paying students is stable. The time allowed for children to eat, the lack of choices, and marketing programs are the barriers to participation.

Missouri: State funding will remain approximately the same to meet matching requirements. Participation by paying students will remain the same or drop. The burdensome paperwork of the program and the unrealistic expectations as a result of CRE reviews are barriers to participation.

Nebraska: Schools are interested in using "Pizza Hut" type products on an infrequent basis. State funding will continue to be limited to the required levels. Parents are voicing concern on the amount of time students are allowed for lunch.

Pennsylvania: Fear of "covert" identification, inadequate marketing, and preference of a la carte menus are real barriers to program participation.

South Dakota: Most schools are offering some choice. Time to eat is a serious impediment, as are open campus policies.

Texas: NSLP and SBP participation continues to increase approximately 5% and 8% respectively. Participation by paying students continues to decrease approximately 2% per year. Barriers to program participation include: (1) scheduling includes buses arriving too late for students to eat breakfast; reducing lunch periods to as short as 15 or 20 minutes; not staggering multiple lunch periods, etc. (2) administrative policy, such as the principal not allowing students into the school building until five minutes before class starts, thus prohibiting the service of breakfast; requiring students to go outside as soon as they get through the lunch line so the cafeteria can be cleaned and the tables and chairs removed for gym class, etc: and (3) facilities produce problems when the kitchen/dining room areas are too small or outdated to provide adequate meal service resulting in students standing in line for 25 minutes and then having only five minutes to find a seat and eat; students having to stand up because there are no seats available.

Utah: A la carte has greatly expanded the number of items offered and sold. Schools dropping the NSLP have food chain contractors. State funding has remained about the same, but meals are up, so there is less per meal when distributed to the SFA's. Paying students have gone down. We lost 1 million meals last year. Almost all SFA increased free meals. We experienced growth (7,000 new students/year state wide) causing many cramped facilities. Students are taking less time to eat (less food selected under Offer vs. Serve); more meals are pizza, fruit, drink meals. Still major problems to compete with are other school sales (marketing classes, etc.) or vending machines (pop) outside the lunchroom door.

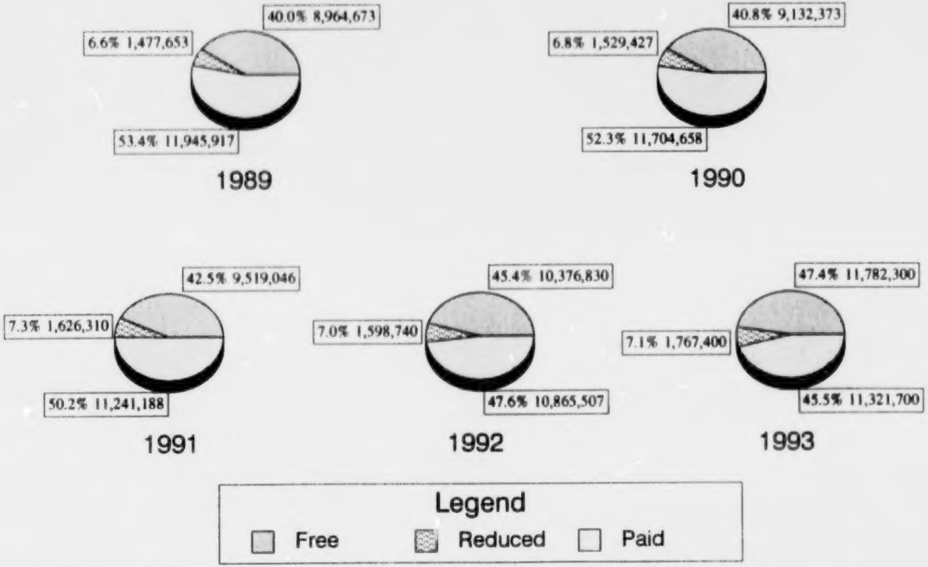
Virginia: Schools continue to increase a la carte offerings—some with little nutritional contribution. The number of high schools no longer participating has increased—so they can sell carbonated beverages, and be unrestricted in foods sold. State funding continues at the minimum state match, participation by paying students is declining—probably due to inadequate time, competition of a la carte sales, or lack of customer appeal. Adequate time and space to service students, number of serving periods available, breakfast times vs. bus schedules, and a la carte sales in the cafeteria are all barriers to program participation.

Washington: Recent state legislation and the state budget will provide funds for low-income breakfasts in 93–94 at an estimated 18 cents per meal. As breakfast programs grow (89% mandate for severe need schools), lunch programs are gradually being added. However, school districts have trouble covering costs, so continue to add a la carte. Paying student participation is dropping. Site-based management has had the great effect on the breakfast program. Schedule changes cut into the serving period or eliminate it. Excessive numbers of lunch periods increase labor costs and conversely, on lunch period is inadequate to provide effective meal service. Some food service directors have been included on teams. Barriers to participation include: length of lunch period, number of lunch periods, open campuses, student stores, inadequate ticketing systems, insensitive staff (both food service and administrative/support).

Wisconsin: A la carte expands in schools when revenue needs to be generated, therefore, continued expansion is expected. The paying students are expected to remain about the same (64% of average daily participation). The universal concept (more federal dollars) would increase participation.

Figure 1

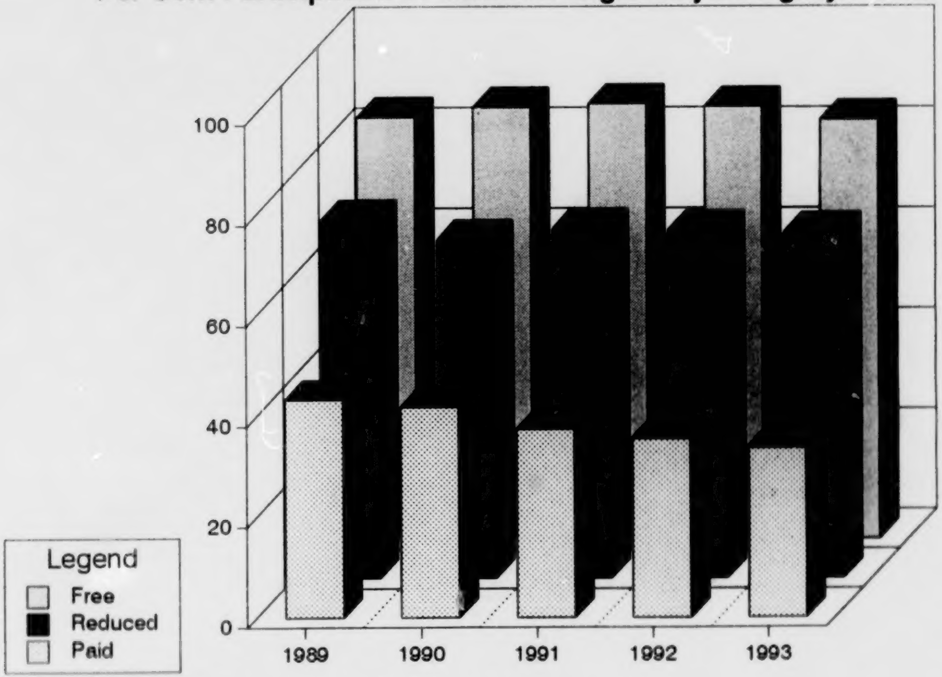
National School Lunch Program
Average Daily Participation by Category



Source: USDA FNS-10

Figure 2

Per Cent Participation of Students Eligible by Category



Source: USDA Final Reports

IMPACT OF HUNGER AND MALNUTRITION ON CHILDREN'S HEALTH AND LEARNING

> In recognition of the demonstrated relationship between food and good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program with its significant contributions in the field of applied nutrition research, it is hereby declared to be the policy of Congress that these efforts shall be extended, expanded, and strengthened . . . as a measure to safeguard the health and well-being of the Nation's Children . . . to meet more effectively the nutritional needs of our children.—Child Nutrition Act of 1966 (PL 89–642)

Congress historically has been a strong proponent of nutrition programs for children. The National School Lunch Act was enacted in 1946 to safeguard the health and well-being of the Nation's children. Congress further recognized the relationship between nutrition and learning with the passage of the Child Nutrition Act of 1966, which established the School Breakfast Program and further enhanced nutrition programs.

Nutrition, health, and education are three critical and interrelated areas for America's children, and each recently has been addressed in public policy. The Dietary Guidelines for Americans, issued jointly by the U.S. Department of Health and Human Services and the U.S. Department of Agriculture (1991), provides recommendations for healthful eating habits. "Healthy People 2000 National Health Promotion and Disease Prevention Objectives" (1990) includes 11 nutrition-related objectives addressing issues such as overweight, growth retardation for low-income children, fat intake, calcium intake, iron deficiency, breastfeeding, implementation of the Dietary Guidelines for Americans in school meals, and nutrition education. Several of the education goals are related to nutrition, particularly the goal that "all children in America will start school ready to learn" (U.S. Department of Education, 1990).

Recognition of the relationships among nutrition, health, and learning is important in developing a comprehensive nutrition, health, and education program for children. The focus of many of these health and education initiatives is on prevention and early intervention with young children.

Pollitt (1993) noted that while the relationship between nutrition and cognitive development is recognized by professionals working with children it is not well known by the general public. He also stated that this relationship has not adequately been addressed in public policy.

Nutrition has a major impact on health and learning. Hunger and malnutrition are thought to impair the functioning of individuals and, thus, their quality of life. Malnutrition can affect growth, morbidity, immunocompetence, cognitive performance, social-emotional performance, and activity (Allen, 1990). A recent study indicates that for malnourished children the probability of death increases as weight-for-age deteriorates (Pelletier, Frongillo, & Habicht, 1993).

Several reviews have been written about the impact of nutrition and hunger on academic performance of children summarizing research back to the 1930s (Pollitt, Gersovitz, & Gargiulo, 1978; Stitt, 1989; Meyers, 1989; Meyers, Sampson, & Weitzman, 1991). The purposes of this paper are to provide definitions of hunger and malnutrition, review the recent research literature on the relationship between hunger/malnutrition and learning, and summarize research on the impact of Child Nutrition Programs on nutrient intake and learning.

DEFINITION OF HUNGER AND MALNUTRITION

Definitions of hunger and malnutrition are consistent throughout the research literature. Hunger is defined as "a psychologic and physiologic state resulting from insufficient food to meet immediate energy needs" (Read, 1973a). Allen (1990) defines hunger as "the physiological manifestations of acute, current food shortage such as that which occurs when a child is deprived of a meal." This condition is sometimes referred to as transient hunger. Hunger is acute and is readily reversible.

In contrast to hunger, malnutrition is chronic, usually requires prolonged rehabilitation, and may result in permanent detrimental effects. Read (1973a) defines malnutrition as "the state of impaired functional ability or development caused by an inadequate diet over a long period of time." Malnutrition results in "measurable changes in nutritional status that result from a chronic marginal deficit of food quality and/or quantity" (Allen, 1990). There are degrees of malnutrition, ranging from severe to moderate to mild, with consequences relating to the degree of malnutrition (Read, 1973a; Read, 1973b; Grantham-McGregor, 1984; Buzina, Bates, van der Beek, Brubacher, Chandra, Hallberg, Heseker, Mertz, Pietrzik, Pollitt, Pradilla, Suboticanec, Sandstead, Schalch, Spurr, & Westenhofer, 1989; Simeon & Grantham-McGregor, 1989).

NUTRITION AND LEARNING

Pollitt (1993) stated that "even moderate undernutrition, the type seen most frequently in the United States, can have lasting effects on the cognitive development of children." He further noted that "inadequate nutrition is a major cause of impaired cognitive development and is associated with increased educational failure among impoverished children."

Short-term nutritional deficiencies can "influence children's behavior, ability to concentrate, and to perform complex tasks" (Sherman, 1993). In addition to nutritional deficiencies, problems associated with learning may be related to hypoglycemia, or low blood sugar (Joos & Pollitt, 1987). It is recommended that children up to age ten eat every four to six hours to maintain adequate blood sugar levels to support brain and nervous system activity (Whitney & Rolfes, 1993).

Severe malnutrition has been reported to be associated with poor brain development and intellectual dysfunction in young children (Latham & Cobos, 1971; Pollitt & Thompson, 1977; Rosenthal & Goodwin, 1985; Gabr, 1987). Severe malnutrition before the third year of life has significant psychobiological consequences (Cravioto and Cravioto, 1990). Inadequately nourished children have been characterized as apathetic, nonresponsive, inactive, and irritable and these children have difficulty tolerating frustration and stress (Barrett, 1986; Gabr, 1987). Ricciuti (1981) and Grantham-McGregor (1990) stress that poor mental development is likely attributable to both malnutrition and poor social background. Grantham-McGregor (1990) contends that severe malnutrition in the first years of life, coupled with economic and social deprivation, is associated with long-term behavioral changes.

Iron nutriture is related to cognitive performance and behavior, particularly with shorter attention spans, lower intelligence scores, and perceptual disturbance (Beard, Connor, & Jones, 1993). Research indicates a strong relationship between iron status and brain function (Tucker, Sandstead, Penland, Dawson, & Milne, 1984). Short attention span and poor educational achievement have been linked with iron deficiency anemia of pre-school and school-aged children (Buzina et al., 1989; Pollitt, Saco-Pollitt, Leibel, and Viteri, 1986; Pollitt, 1991). Improving the iron status of iron-deficient anemic children results in improved scores on achievement tests (Soemantri, Pollitt, and Kim, 1985; Pollitt et al., 1986). Hallberg (1989) discussed the possible confounding factors related to iron deficiency and brain function, including a low intake of ascorbic acid (vitamin C) that can effect bioavailability of dietary iron, an excess intake of phytates that can inhibit iron and zinc absorption, and an increased absorption of lead that occurs due to iron deficiency.

Research clearly indicates that nutrition influences cognitive development and health. According to Dr. Larry Brown, Director of the Center on Hunger, Poverty and Nutrition Policy at Tufts University School of Nutrition, "protecting children's health and cognitive development may be the best way to build a strong America" (1993). Pollitt (1993) stated that "the challenge now is to incorporate this new knowledge into programs and policies which improve the nutritional status and cognitive development of our most vulnerable youngsters."

"The lifelong effects of chronic undernutrition are cognitive limitations and behavioral impairments that restrict educational experiences and later adult productive capacity" (Sherman, 1993). Sherman (1993) noted that "perhaps the greatest costs associated with undernutrition among children are the more intangible ones. In economic terms, these are 'opportunity costs' . . . the lost opportunity is the contribution that nutritionally-deprived children might otherwise make to society as a whole, and to the productivity and well-being of their families in adult life."

IMPACT OF CHILD NUTRITION PROGRAMS ON NUTRIENT INTAKE AND LEARNING

IMPACT OF BREAKFAST ON TOTAL NUTRIENT INTAKE

Several regional and national studies examine the impact of eating breakfast on total nutrient intake (Radzikowski, 1983; Radzikowski & Gale, 1984; Morgan, Zabik, and Stampley, 1986; Devaney, Fraker, and Morgan, 1987; Nicklas, Farris, Bao, Myers, & Berenson, 1992; Nicklas, Bao, Webber, & Berenson, 1993; Burghardt & Devaney, 1993). Results indicate that breakfast skipping tends to increase with age and is most prevalent among female adolescents. These studies conclude that children who consume breakfast regularly have a better quality diet than those who omit breakfast. Children who eat breakfast are more likely to consume recommended quantities of vitamins and minerals.

RELATIONSHIP BETWEEN BREAKFAST AND LEARNING

Since the inception of the School Breakfast Program (SBP), many studies have examined the relationship between eating school breakfast and performance on standardized achievement tests, behavior, and attendance. Martin (1979) found that fourth-grade children in Georgia performed better on achievement tests if they obtained adequate calories at breakfast, which generally related to overall calorie intake for the day and a more adequate total intake.

A recent study of 1023 third through sixth-graders in Massachusetts found that eating breakfast improved standardized test scores, and decreased attendance and tardiness with controls for gender, ethnicity, grade, number of children in the family, income category, pre-SBP test scores, absences, and tardiness (Meyers, Sampson, Weitzman, Rogers, & Kayne, 1989). A survey of third, fifth, and eighth grade children in Pennsylvania showed that frequency of eating breakfast was positively related to performance on reading and math questions on a standardized test (Birkenshaw, 1991). Dickie and Bender (1982), however, reported no significant difference in mental performance of school children in Britain based on the consumption or omission of breakfast.

A clinical study conducted in the United States with 34 children 9-to-11 years of age showed that fasting had a negative impact on accuracy in problem solving and a positive effect on immediate recall in short-term memory because of a heightened arousal associated with brief fasting periods (Pollitt, Leibel, & Greenfield, 1981). For children with IQ scores below the median, the number of errors increased when no breakfast was eaten.

Simeon and Grantham-McGregor (1987, 1989) conducted a clinical study in the West Indies with children aged 9-to-10.5 years. The study included a control group, a group of children with stunted growth, and a group of severely malnourished children. Cognitive test performance of children in the control group was not adversely effected by the lack of breakfast. For children in the stunted and malnourished groups, omission of breakfast had an adverse affect on generation of ideas, motivation, and visual short-term memory, even when IQ and degree of wasting were controlled. Thus, it appears that omission of breakfast by children at risk can seriously affect learning.

IMPACT OF THE NATIONAL SCHOOL LUNCH PROGRAM ON TOTAL NUTRIENT INTAKE

Studies of the nutrient contributions to diets for children of the School Lunch Program have been funded by the U.S. Department of Agriculture (Radzikowski, 1983; Radzikowski & Gale, 1984; Burghardt & Devaney, 1993). Akin, Guilkey, Haines, & Popkin (1985) studied nutrient contributions using data from the Nationwide Food Consumption Survey. Results of these major nationwide evaluations indicate that students who participated in school lunch programs have higher intakes of energy and other nutrients, including iron, than children who do not participate. Not only was the nutrient intake at the noon meal higher for participants, their total daily intake also was higher than the intake of nonparticipants. Other studies have shown that children who eat a school lunch have a better nutrient intake than children who eat a bag lunch brought from home or purchased from a vending machine (Perry, Shannon, Stitt, and Bonner, 1984; Ho, Gould, Jensen, Kiser, Mozar, & Jensen, 1991).

CONCLUSIONS

Several conclusions about the relationship between malnutrition and learning are indicated in the research literature:

Inadequate nutrition may be far more serious that previously thought.

Malnutrition contributes to poor academic performance and to a high rate of scholastic failure or dropout.

Malnutrition interferes with a child's ability to concentrate and learn and contributes to frequent absenteeism due to nutrition-related illnesses.

The School Breakfast Program is important for children because breakfast consumption is related to the overall adequacy of the nutritional intake for the day and to improved academic performance of children.

The importance of breakfast must be emphasized because laboratory and field studies show detrimental effects of morning fasting.

Iron deficiency prevention must receive attention because of the strong linkage between iron nutriture and achievement.

Emphasis on prevention of nutritional disorders can yield health and economic benefits. The preventative approach can decrease behavioral and developmental problems.

Transient hunger can negatively influence learning. Although transient hunger may not result in chronic health problems associated with chronic malnutrition, it can have long-term impacts on learning.

Hypoglycemia may account for some problems related to learning in school. Children up to age 10 need to eat every four to six hours to maintain adequate blood glucose levels to maintain activity by the brain and nervous system. Thus, both school breakfast and lunch programs are critical to learning.

Low-income children consume one-third to one-half of their nutritional intake at school.

Because low-income children depend on school meals for a significant portion of their daily nutritional intake, summer food programs are critical for continuous provision of nutrients and calories for good health.

Additional research is needed to determine the relationship between nutrition and learning since there are few current studies of children in the United States.

Child Nutrition Programs do make a difference in the nutritional status and learning ability of children. These programs provide children with access to a variety of nutritious foods that are acceptable.

Additionally, the school cafeteria provides a learning laboratory in which children learn life-long eating habits.

Child Nutrition Programs are inextricably related to reaching the health and education goals for the nation. Continued support of the Child Nutrition Programs can help fulfill the vision for children: Every child will have the opportunity to enjoy the benefits of effective Child Nutrition Programs, with healthy food choices, provided in pleasant surroundings served by compassionate and empowered people.—(White, Sneed & Martin, 1992)

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APPENDIX A

CHILD NUTRITION PROGRAMS:* A NARRATIVE LEGISLATIVE HISTORY AND PROGRAM ANALYSIS

(By Jean Yavis Jones)

SUMMARY

For FY1993, the Federal government provided some $7 billion in support to child nutrition programs serving nearly 27 million children. These programs support institutions serving meals (or milk) to children in schools and residential and non-residential child care facilities and summer camps. They also provide aid for the State administrative costs of operating programs, nutrition education and training and research and evaluations, Federal review costs, and the operation of a Food Service Management Institute.

Since 1935 when the Congress first approved the donation of government-acquired agricultural surplus commodities to schools for lunch programs, some 30 authorizing bills have been passed creating, revising, and expanding child nutrition programs. In approving these laws, the Congress has expanded the role of child feeding beyond surplus commodity disposal and the promotion of food consumption to include the promotion of good nutrition and health and education; income support for poor and near-poor families, and social services for families and children.

Child nutrition is one of the most actively legislated areas in the Congress. Over the past eight years, the Congress has approved 10 laws amending child nutrition statutes. Four of these laws have been approved since the enactment of the Child Nutrition and WIC Reauthorization Act of 1989. This level of activity reflects the wide array of interests encompassed by child nutrition programs: farmers, educators, health professionals, nutritionists, dieticians, food manufacturers, processors, wholesalers, and some 27 million children in over 93,000 public and private elementary and secondary schools throughout the United States.

Legislative activity in this area also reflects a long history of congressional reliance on child feeding programs to help deal with national upheavals and emergencies. For example, the national school lunch program got its start with Depression era farm and work relief measures, grew with the addition of Federal cash aid as surplus food commodities dried up or were unable to be transported

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*For the purpose of this report, child nutrition programs refer to federally supported meal service programs—the national school lunch, school breakfast, child and adult care, summer food service, commodity distribution, and special milk programs. The special supplemental food program for women, infants, and children (WIC), which sometimes is referred to as a child nutrition program, is treated in a separate report.

Jean Yavis Jones is a Specialist in Food and Agriculture Policy with the Environmental and Natural Resources Division, Congressional Research Service, Library of Congress.

because of World War II food and fuel shortages, and was codified into law when, after World War II it was discovered that many young men were rejected for military service because of nutrition-related health problems. Likewise, Federal school lunch aid was part of furious legislative battles fought during the 1950's and 1960's over Federal aid to education and racially segregated schools. As Congress moved to fight poverty and hunger, child nutrition became part of the battle with the creation of the school breakfast, child care and summer food programs, and free and reduced price meal programs for poor children. More recently, child nutrition programs have been caught up in budget battles over redirecting or lowering Federal domestic spending and reducing huge deficits.

This report provides a description and narrative legislative history of child nutrition programs. It includes individual program descriptions and histories, as well as current and historical data, and summaries of recent evaluations and studies.

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The author thanks Jennifer Neisner, Education and Public Welfare Division, for her assistance with many of the tables contained in this report

PART 1. GENERAL DESCRIPTION AND HISTORY

I. OVERVIEW

The National School Lunch Act and the Child Nutrition Act of 1966 provide authority for Federal financing of eight meal-service and nutrition programs serving approximately 27 million children. These programs, for which Federal cash and commodity support exceeded $7 billion in FY 1993, are the school lunch, school breakfast, child care food, summer food service, special milk, nutrition education and training (NET), State administrative expenses, and commodity distribution programs. Child nutrition programs provide food aid indirectly to children through institutions that operate meal services for children in schools, child care facilities, and summer programs. Meal service programs are designed to assist institutions in offering nutritionally balanced meals to children in their care. The programs are administered at the Federal level by the U.S. Department of Agriculture (USDA) and are financed annually under agricultural appropriations laws. The school lunch, school breakfast, child care food, and special milk programs are permanently authorized; the commodity distribution program, summer food service program, State administrative expenses, and the NET program are authorized through FY 1994.

Federal support for child nutrition programs originated during the Great Depression when commodities bought by the government to relieve the price depressing effect of farm surpluses were donated to schools for lunch programs. Over the years since 1935 Federal aid for child nutrition has expanded beyond its original agricultural surplus removal purpose to include a wide array of social welfare goals, including low-income support, aid to elementary and secondary education, improved health and nutrition, and support for child care. For instance, more lower income children receive free or reduced price meals under child nutrition programs than receive benefits under the food stamp or aid to families with dependent children (AFDC) programs, which generally are regarded as the nation's largest income transfer programs for the poor. Moreover, Federal cash and commodity support for school meal programs represents the second single largest source of Federal aid to elementary and secondary schools, and aid for the child and adult care food program is the single largest source of direct Federal support for children in day care.

The authority for eleven child nutrition programs or projects will expire at the end of FY 1994 unless legislation extending them is enacted.[1] These include the summer food service program, the commodity distribution program, the nutrition education and training (NET) program, the State administrative expense (SAE) program;

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[1] Authority for the WIC and WIC farmers' market coupon programs also will expire at the end of FY 1994. These programs are treated in a separate report.

the school breakfast start-up grant program; the homeless preschool children's project; a two-State demonstration project providing alternative eligibility for the child care food program for proporietary child care facilities; authority for the continuation of Cash/CLOC commodity alternative schools; and the authorization of funding for the Food Service Management Institute.

A. FEDERAL BENEFITS

1. Child Nutrition Funding

In FY 1992, $6.8 billion in Federal cash and commodity support was provided for child nutrition programs serving some 27 million children in schools, child care institutions and summer residential and day camps. Most of this assistance, $6.1 billion (or 90%), was in the form of cash aid to States; the remaining $725 million in Federal aid was in the form of USDA food commodities. These commodities either were provided specifically to meet child nutrition program needs (so-called entitlement or mandated commodities) or were donated to the programs from surplus government commodity stocks which the Secretary of Agriculture determined otherwise would have been spoiled (so-called "bonus" commodities). Most commodity assistance for child nutrition programs in FY 1992, some $603 million (or 83% of the total commodity support), was provided to meet program mandates.

Nearly all Federal support for child nutrition programs (about 99%) goes to support the cost of providing meals or milk to children in participating institutions. In FY 1992, of the total $6.8 billion estimated to have been spent for these programs, about $88 million in Federal aid was for non-food service. This aid provided funding for State administrative expenses associated with meal and milk program operations; nutrition education, training, and studies; Federal review systems to monitor programs; and the operation of a Food Service Management Institute.

Although Federal meal service support is available for nearly all children in institutions participating in child nutrition programs, regardless of their family income, most Federal aid goes for meals, snacks, or milk served to lower income children. In FY 1992, of the $5.17 billion in cash assistance provided for meal or milk service programs, $4.25 billion (or 82%) went for meals, snacks, or milk served free, or at a substantially reduced price to some children with family incomes at or below 185% of the poverty level. The remainder (some $920 million) went for basic cash subsidies for meals, snacks, or milk served to children whose families either did apply for, or whose incomes did not qualify them for free or reduced price benefits.

TABLE 1.—CHILD NUTRITION PROGRAMS, FEDERAL FUNDING AND PARTICIPATION—FY 1992

Programs	Funding (in millions) [1]	Participation (in millions)
School lunch	$3,870.1	24.6
School breakfast	801.2	4.9
State administrative expenses	68.8	NA
Summer food service	202.9	1.9
Child care food	1,089.6	2.0
Commodity value	725.5	

TABLE 1.—CHILD NUTRITION PROGRAMS, FEDERAL FUNDING AND PARTICIPATION—FY 1992—Continued

Programs	Funding (in millions) [1]	Participation (in millions)
Entitlement	(603.3)	[2]26.6
Bonus	(122.2)	[2]26.6
Nutrition education, training, and studies	13.8	[3]4.0
Special milk	21.6	[4]9
Other [5]	5.4	
Total	$6,798.9	(6)

[1] Estimated program level. This is total obligations (budget authority plus carryover) plus the value of commodities financed from other accounts.

[2] Number of children participating in programs for which commodity assistance is provided.

[3] Number of children who received nutrition education instruction.

[4] Number of half pints served daily.

[5] Includes costs for Federal review system and Food Service Management Institute.

[6] Should not be totalled due to possibility of multiple program participation.

NA = Not applicable or not available.

Source: Data derived from USDA budget explanatory notes for the FY 1989 budget, Food and Nutrition Service (FNS).

2. *Meal Service Programs*

Federal support for meal service programs takes the form of both cash and commodity assistance, and is made available on the basis of each meal, or half-pint of milk served by the institution. The Federal Government offers cash and/or commodity assistance to States for various portions of the cost of providing meals (or in the case of the special milk program, half-pints of milk) to children in elementary and secondary schools, residential institutions, child care centers and day care homes, and summer day programs. Additional Federal funds are provided for the State administrative costs of operating these programs, and for nutrition training for school food personnel, nutrition education for children, and nutrition studies and evaluations.

Institutional meal service programs receive legislatively specified cash and commodity reimbursements for each meal served to a child. This kind of Federal funding is known as "performance funding" and guarantees payment for all qualifying meals served, without limit. Meals must meet nutritional standards set by the USDA, and in most cases must be offered free or at reduced price to children from lower-income families. Reimbursement rates are set by law and adjusted annually for inflation. The rates are based on the type of meal served—breakfast, lunch or supper, and meal supplements (or snacks)—and whether the child's family income qualifies him or her for a "paid," free, or reduced-price meal. Paid meals are available to children who either do not apply, or do not qualify for free or reduced-price meals, based on their family's income. Schools receive a basic cash and commodity reimbursement for such lunches, and there is no limit on the amount schools may charge children for paid lunches. Substantially higher cash reimbursements are given for free and reduced-price meals. The law sets a maximum charge for reduced-price meals and prohibits any charge for free meals.

In addition to cash assistance, institutions participating in child nutrition meal service programs also receive commodities purchased by the USDA for agricultural price support and surplus removal reasons. Schools and other eligible institutions must receive so-called "entitlement commodities," and may receive "bonus" commodities, if these are available. Entitlement commodities are those purchased by the USDA to reduce agricultural surpluses and to meet the per meal commodity reimbursement rate set by law and annually adjusted for inflation. Commodities purchased to meet the child nutrition commodity entitlement are financed with section 32 agricultural surplus removal funds[2] and, when such commodities are not sufficient to meet meal program needs, with child nutrition program funds. Such items generally include fresh and canned fruits and vegetables, frozen and canned meats, and canned fish.

Bonus commodities are commodities offered to meal service programs in addition to those required to meet the commodity entitlement. These may be section 32 types of commodities purchased by the USDA to meet unexpected surplus removal needs, or they may be price support commodities held and otherwise uncommitted for use by the Commodity Credit Corporation (CCC).[3] The availability of CCC commodities for meal service program use is entirely contingent upon agricultural market conditions and the need for such commodities for other purposes (e.g., other domestic or international food program needs, or sales). Price support commodities donated to meal service programs in the past usually have included cheese, butter, nonfat dry milk, honey, rice, and flour. In recent years government holdings of these items have diminished, as have bonus donations. There is no charge to child nutrition programs for the donation of bonus commodities.

B. ELIGIBILITY REQUIREMENTS

1. Institutions

All public or private nonprofit schools, residential institutions, and day care centers may participate in federally subsidized meal service programs as long as they operate a nonprofit program; agree to make meals available to all children; provide free and reduced-price meals to low-income children, using federally set income criteria; offer meals that meet federally specified nutritional requirements; and follow the recordkeeping and claims procedures required by the USDA. For-profit child care centers and family and group day care homes may participate in the child care food program if they receive funds from the State's social services block grant program under Title XX of the Social Security Act for at least 25 percent of the children they serve.

The special milk program may operate only in schools or other child care institutions that do not have federally subsidized meal programs, although special milk may be made available to kindergarten children in schools with meal service programs, if such children are in split session programs and lack access to breakfast or lunch programs. Unlike meal service programs, where participating schools must offer free meals to children whose family income qualifies them for such meals, schools operating milk programs may choose whether or not to offer free milk.

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[2] Section 32 of the Act of August 24, 1935, provides 30 percent of annual gross customs receipts to be used, among other things, for the purchase and disposal of agricultural surpluses, to increase domestic food consumption, and to help meet the food needs of low-income populations. The Secretary of Agriculture has broad discretion to determine what types of commodities will be purchased with these funds.

[3] The CCC acquires commodities under agricultural price support programs set up to guarantee minimum prices for legislatively specified commodities. Section 416 of the Agricultural Act of 1949 authorizes the CCC to donate commodities in its inventory to schools and other institutions.

Participation in the summer food service program generally is limited to public or private nonprofit school food authorities, local, municipal, or county governments serving children in low-income areas, higher education institutions participating in the National Youth Sports program, and public and private nonprofit summer camps. Nonresidential, private, nonprofit organizations may participate in the summer food program only in those otherwise eligible areas where public entities do not operate programs, and under certain conditions that restrict their size and types of operations.

In order for participating institutions to claim meal reimbursements for federally subsidized meals they must offer specified portions and types of foods. However, children may refuse to take certain items offered if they are in high schools or, at the option of local schools, if they are in lower grades: their refusal does not affect the amount of the Federal meal reimbursement.

TABLE 2.—MEAL PATTERN MINIMUM REQUIREMENTS FOR SCHOOL LUNCHES, ITEMS AND QUANTITIES BY AGE GROUP

Food item	Age group			
	Age 1-2	Age 3-4	Age 5-8	Age 9+
Milk: Whole milk must be offered; unflavored low-fat, skim, buttermilk, or flavored milk are optional	¾ cup	¾ cup	½ pint	½ pint
Meat or meat alternate:				
Lean meat, poultry, or fish; cheese	1 oz	1.5 oz	1.5 oz	2 oz
Large egg	½	¾	¾	1
Peanut butter	2 tbsp	3 tbsp	3 tbsp	4 tbsp
Vegetable or fruit: Two or more servings of vegetables or fruits or both	½ cup	½ cup	½ cup	¾ cup
Bread or bread alternate:				
Must be enriched or whole grain. A serving is a slice of bread or equivalent serving of biscuits, rolls, etc., or ½ cup cooked rice, macaroni, noodles, pasta products, or cereal grains	5 per week	8 per week	8 per week	8 per week
Minimum serving	½ per day	1 per day	1 per day	1 per day

Source: 7 C.F.R., Subtitle B, 210.10.

By law, the Secretary may regulate the sale of foods sold in competition with federally subsidized meal programs. Current regulations prohibit the sale of foods of minimal nutritional value, that is, foods that contain less than 5 percent of the U.S. Recommended Dietary Allowances (RDA) for specified nutrient servings. Excluded items include soda water, water ices, chewing gum, hard and spun candies, and jellies. Regulations permit State agencies and local school food authorities to exclude other items, and to petition the USDA to determine if a food qualifies as an acceptable or unacceptable item. Any item considered to have more than minimal nutritional value may be sold in the school food service area if the income from such sales accrues to the benefit of the nonprofit food service program or to school or student organizations approved by the school.

TABLE 3.—CHILD NUTRITION AVERAGE MONTHLY PARTICIPATION, FY 1992

[Unless otherwise noted]

Programs	Number of schools/institutions	Number of children enrolled	Number of persons served
School lunch	92,284	42,696,000	25,095,000
School breakfast	49,973	24,460,000	4,981,000
Child care food [1]	188,320	1,955,000	1,955,000
Special milk	9,811	NA	[2] 891,000
Summer food [3]	22,586	1,919,000	1,919,000

[1] FY 1992 peak participation data. Participation data not reported on monthly basis. Enrollment assumes participation, although a very slight number of children of family day care home participants may not participate because of income requirements that exclude them from receiving subsidized meals.

[2] Average number of half-pints served daily.

[3] July participation.

Source: U.S. Department of Agriculture, Food and Nutrition Service. FY 1994 budget explanatory notes.

2. *Recipient Eligibility*

In general, all children enrolled in schools, child care facilities, and summer programs that participate in federally subsidized meal or milk programs are eligible for the benefits of these programs, regardless of family income. However, children in schools and child care centers who wish to qualify for free or reduced-price meals, or free milk (for which considerably higher federal subsidies are provided) must meet Federal income standards.

In order to qualify for a free or reduced-price meal, or for free milk, children in most child nutrition programs must meet income standards that are set by law and annually adjusted for inflation. Under the school lunch, breakfast, and child care center portion of the child care food program, free meals are available to children from families with incomes at or below 130 percent of the Federal poverty income guideline. Although schools are not required to offer it, free milk may also be given under the special milk program to children whose family income qualifies them for free meals. Reduced-price meals are available to children from families with incomes above 130 percent but no higher than 185 percent of the poverty guideline. There is no reduced-price category under the special milk program.

Federally subsidized meals served in family day care homes and summer food programs are not income tested, although summer food programs may receive Federal meal reimbursements only if they are located in low-income areas. Children of family day care providers may not receive federally subsidized meals if their family income is above 185 percent of the poverty level.

TABLE 4.—ANNUAL INCOME ELIGIBILITY CUT-OFF LEVELS FOR CHILD NUTRITION PROGRAMS—JULY 1, 1993 to JUNE 30, 1994 [1]

	Poverty income guideline	Free meals (130% of poverty)	Reduced-price meals (185% of poverty)
Family size			
1	$6,970	$9,061	$12,895
2	9,430	12,259	17,446
3	11,890	15,457	21,977
4	14,350	18,655	26,548
5	16,810	21,853	31,099
6	19,270	25,051	35,650
7	21,730	28,249	40,201

TABLE 4.—ANNUAL INCOME ELIGIBILITY CUT-OFF LEVELS FOR CHILD NUTRITION PROGRAMS—JULY 1, 1993 to JUNE 30, 1994 [1]—Continued

	Poverty income guideline	Free meals (130% of poverty)	Reduced-price meals (185% of poverty)
8	24,190	31,447	44,752
Each additional person	+2,460	+3,198	+4,551

[1] These are the guidelines for the 48 contiguous States, District of Columbia, Guam, and the territories. Higher income guidelines are used for Alaska and Hawaii.

Source: Federal Register, v. 58, no. 55, March 24, 1993, p. 15838.

II. HISTORICAL OVERVIEW OF CHILD NUTRITION PROGRAMS

A. DEPRESSION ORIGINS

The scope and focus of Federal support for child nutrition have expanded considerably since aid was first provided under relief programs instituted in the early years of the New Deal. This early assistance took the form of Reconstruction Finance Corporation loans, employment assistance under the Civil Works Administration and Federal Emergency Relief Agency, and donations of surplus food commodities purchased for agricultural support reasons. Early Federal involvement in child nutrition was largely a byproduct of Federal relief efforts dealing with the economic problems of the Great Depression.

The donation of surplus commodities to schools, which began on a limited basis in 1932, was part of Federal relief efforts to relieve farmers and promote agriculture. Schools essentially served as outlets for farm commodities purchased by the USDA to lessen price-depressing surpluses. They also offered public service employment in a country with nearly 13 million (or just under 25 percent) of its workforce unemployed.[4] Thus, although feeding children at school was supported, it was largely incidental to farm and job relief efforts.

B. CASH ASSISTANCE FOR CHILD NUTRITION

As the economy improved and the country faced the needs of war, Federal relief activities subsided. Expanded wartime agricultural markets, food shortages, and transportation difficulties diminished Government acquisitions and donations of commodities to schools. As a result, it became evident that USDA commodities were not a reliable form of support for school lunch programs, and pressure rose for other and more dependable forms of Federal food assistance. This pressure came from the growing number of schools operating lunch programs, as well as from others concerned about balanced diets and good nutrition. In response, Congress appropriated sums from agricultural support funds to subsidize local purchase of foods so as to offset the diminished donations of surplus commodities. Until 1970, commodities and milk support continued to make up the major portion of total Federal support provided for school food programs. However, with the imposition of performance funding and the establishment of substantially higher cash reimbursements for free and reduced-price meals than for paid meals, Federal cash assistance overtook commodity aid to child nutrition that year. In subsequent years cash aid for child nutrition continued to increase with the growth and addition of programs (e.g., WIC and the school breakfast program) primarily targeted to the needy and the indexation of benefits and income eligibility criteria. In FY 1988, cash assistance represented 85 percent, or approximately $6 billion of all Federal support for child nutrition programs. Of that amount, nearly $5.6 billion was provided for programs supporting food assistance to lower-income recipients.

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[4] U.S. Dept. of Commerce. Bureau of the Census. Historical Statistics of the United States, Colonial Times to 1970, Part 1. Series D 85-86. Unemployment: 1890 to 1970. Washington, U.S. Govt. Print. Off., 1975. p. 135.

C. SCHOOL LUNCH EVOLUTION: 1946–1962

In 1947, when the provisions of the National School Lunch Act were first implemented, total Federal expenditures for school lunches and commodities were just under $70 million. In FY 1988, the estimated total Federal expenditure for all child nutrition programs, authorized under both the National School Lunch Act and the Child Nutrition Act of 1966, is approximately $7 billion. In the 40 years between these two dates, nine programs were added to the school lunch and commodity programs, and participation in federally subsidized child nutrition programs expanded from 6.6 million school children to an average of nearly 28 million children and some 750,000 low-income, nutritionally needy mothers.[5]

When Congress approved the National School Lunch Act in 1946, it intended to do more than provide an outlet for the disposal of surplus agricultural commodities. The congressional debate on this legislation showed a growing awareness of the relationship between nutrition and good health and learning, and the desire for Federal support to child nutrition activities. Designed to provide a basic level of support for the improved nutrition of all school children, the program continued to be supported as a broad-based program for children throughout the 1950s. However, in the early 1960s legislators and other policymakers began to focus on hunger and poverty in America, and the school lunch program took on new goals.

Although participating schools always had been required to offer free or reduced-price meals to children who could not afford to pay for the basic, or "paid" lunch, no differential in the amount of Federal support for free or reduced-price meals was provided at first. Since schools depended on children's meal payments to finance much of the cost of their programs, schools with large proportions of children who could not pay for their lunches were less likely to operate school lunch programs than those with large proportions of children who could afford to pay. To adjust for this problem, in 1962 Congress approved a new special assistance program (section 11) to supplement regular (section 4) school lunch grants (P.L. 87–823). This special assistance was targeted to needy schools (defined as schools which drew children from "areas in which poor economic conditions exist"). The special assistance grant established the framework for the current system of additional reimbursements for meals served free or at reduced price to low-income children in all schools. It also introduced the idea that child nutrition programs could serve as a vital source of food assistance to needy children.

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[5] Programs added were special assistance for free and reduced-price lunches (normally considered part of the school lunch program), school breakfast, child care food, summer food, State administrative expenses, nutrition education and training, WIC, the special milk program, and the food equipment assistance program, which was terminated under the 1981 Omnibus Budget Reconciliation Act.

D. OTHER SCHOOL-BASED NUTRITION PROGRAMS (1966)

In 1966, Congress further extended Federal food assistance to schools by permitting lunch program benefits for children in preschool programs operated by schools, and by authorizing a school breakfast program (P.L. 89–642). Under this legislation, all schools could qualify for breakfast program assistance; however, States were to give first consideration to schools which drew attendance from areas with poor economic conditions. The same law made permanent the special milk program, which previously had been authorized and funded annually under agricultural laws, and incorporated the program under the category of child nutrition programs. Programs authorizing funds for food service equipment assistance and funds for State administrative expenses also were created under this law.

E. NUTRITION AID FOR CHILDREN NOT IN SCHOOL (1968)

In 1968, Congress again expanded access to child nutrition programs by authorizing a special food service program for children who were not in schools (P.L. 90–302). This program provided grants to States for the establishment and maintenance of meal services for children in child day care centers, recreation centers, and settlement houses. Essentially, the special food service program was for children who did not have access to meal service programs in schools, either because they were too young, or because they were in summer programs. This program was targeted to areas with poor economic conditions, and with high concentrations of working mothers.

F. SCHOOL MEAL DEVELOPMENTS IN THE 1970S

By 1970, Congress had authorized all of the current meal service programs, and began a series of adjustments in the various programs to assure that meals would be available to all children, particularly low-income children. In 1970, special assistance funding for free or reduced-price meal programs in low-income schools was extended for free or reduced-price meals served to needy children in all schools (P.L. 91–248). In addition, rather than leaving it to schools to determine the basis for a child's need for a free or reduced-price meal, Congress required the Secretary of Agriculture to establish uniform guidelines for determining eligibility for free and reduced-price meals. Beginning in January 1971, the guidelines established for free or reduced-price meals were set at 100 percent of the Federal poverty level. As time went on, separate eligibility levels were established for free and for reduced-price meals, and Congress gradually raised the income eligibility standards tO accommodate more children.

Up to this point, Federal assistance to child nutrition programs had been available to States in the form of grants, allocated on the basis of student enrollment and (since 1962) on student participation. Although the Secretary had been required to establish maximum allowable reimbursements for meals to assure that schools did not receive sums in excess of meal costs, there was no guaranteed reimbursement for meals. This changed in 1972, when guaranteed reimbursement rates were established by law under a Joint Resolution of Congress (P.L. 92–153). This law set an average reimbursement rate of 6 cents for every school lunch served, and additional reimbursements for free and reduced-price meals. The free rate of reimbursement was set at the full cost of the meal, or 40 cents, whichever was less. Reduced-price meals were to be reimbursed at the same rate, less the price charged to a child for such a meal.

In the years immediately following the establishment of mandatory meal reimbursements, rates were raised twice by Congress: Section 4 basic assistance was raised to 8 cents near the end of 1972 (P.L. 92–433) and then again to 10 cents in 1973 (P.L. 93–150). The 1973 Amendments to the National School Lunch Act also raised the reimbursement rates for free lunches and reduced-price lunches by 5 cents (from 40 to 45 cents per lunch, and 10 cents less for reduced-price lunches. This Act also established minimum reimbursement rates for school breakfasts—8 cents for a paid breakfast, an additional 15 cents for each reduced-price breakfast, and 20 cents for each free breakfast. Moreover, all of the meal reimbursement rates established by this law were required to be adjusted semi-annually to reflect food price inflation. In 1974, a minimum reimbursement rate of 5 cents was established for each half-pint of milk served under the special milk program, with provision for annual inflation adjustments (P.L. 93–347).

In response to Administration attempts to eliminate commodity assistance for child nutrition programs as cash funding grew and commodity inventories declined in the early 1970s, Congress also provided for a mandatory commodity support rate of 10 cents per lunch served for child nutrition programs in 1974 (P.L. 93–326). This commodity reimbursement was the same for all meals served, regardless of the income of the child, and was annually adjusted for inflation. In 1975, the special food service program for children was split into two individual programs—the summer food service program and the child care food program. Each of these programs was authorized separately and mandatory reimbursement rates were established for meals and snacks served.

Through the 1970s the Federal commitment to child nutrition grew as Congress took actions increasing reimbursements and expanding program eligibility to cover a wider range of low-income families.

G. ENACTMENT OF WIC (1972)[6]

In addition to establishing a quasi-entitlement status for Federal meal reimbursements, the early 1970s brought a new focus to Federal child nutrition activities as the health consequences of poor nutrition, especially for pregnant women and infants and children, gained national attention. In 1972, Congress expanded its meal service-oriented approach to child nutrition to include direct food assistance to low-income mothers and children. Established under the Child Nutrition Act as a 2-year pilot program (P.L. 93–150), the WIC program was authorized. It provided funding for grants to State health departments for the distribution of supplemental foods to low-income pregnant women, nursing mothers, infants, and preschool children considered to be at health risk because of poor nutrition. Modeled on an earlier commodity distribution program for low-income mothers and their children, the WIC program tied food delivery to the health care system and nutrition education. It has since become the second largest federally supported child nutrition program.

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[6] The creation and expansion of the WIC program is treated in a separate report.

H. CUTBACKS IN THE 1980S

By 1980, child nutrition programs had enjoyed nearly 45 years of uninterrupted growth in Federal support. However, in 1980 and then again in 1981, legislation was enacted cutting back Federal support for child nutrition programs as part of all-encompassing laws designed to reduce Federal domestic spending.

The Omnibus Reconciliation Act of 1980 included changes in child nutrition programs that reduced FY 1981 funding by approximately $400 million (P.L. 96–499). With spending projected at $4.6 billion for all child nutrition programs in FY 1981, this $400 million reduction had relatively small impact. The changes included reductions in, and less frequent inflation adjustments of meal reimbursement rates, scaling back of the special milk program, and lower-income eligibility cut-off levels. Such changes set the tone for the considerable program reductions that were enacted the following year under the Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35). This law reduced Federal funding for all domestic programs by some $35 billion in FY 1982. Legislative changes in child nutrition programs accounted for approximately $1.4 billion of this amount. These projected savings in FY 1982 spending for child nutrition programs amounted to about 25 percent of the amount that would have been spent in FY 1982 had no legislative changes been enacted. The child nutrition program receiving the largest dollar amount reduction was the school lunch program, which lost almost $1 billion in FY 1982 as a result of reimbursement rate reductions, lowered income eligibility criteria for free and reduced-price lunches, and the exclusion of private schools from participation in the program if they had tuitions that averaged over $1,500 per year. Although the lunch program took the largest dollar cut, other smaller programs took substantially larger proportionate cuts.

The special milk program was cut by 77 percent by prohibiting the program's operation in schools that had federally subsidized meal programs. (At that time nearly 90 percent of milk programs operated in such facilities.) Grant funding for the NET program was cut from $15 million to $5 million, for a net reduction of 67 percent in FY 1982 funding. The summer food service program was reduced by approximately 54 percent below the expected FY 1982 level, primarily as a result of the elimination of private nonprofit organizations as sponsors. A commodity reimbursement rate cut lowered FY 1982 spending for commodity distribution by an estimated 42 percent. Child care food program funding was reduced by 29 percent below the projected FY 1982 level due to the reductions in lunch, breakfast, and meal supplement reimbursements and changes in income eligibility standards for free and reduced-price meals. Reductions in reimbursements for paid and reduced-price breakfasts accounted for a 19 percent reduction in FY 1982 school breakfast program spending, and the food equipment assistance program was eliminated entirely. Of all the child nutrition programs, only the WIC program, State administrative expenses, and nutrition studies were essentially unaffected by the 1981 Reconciliation Act. The Administration had wanted Congress to narrow the focus of Federal support for child nutrition programs by eliminating all Federal support for meals served to non-needy children, thus eliminating the broad-based nutrition support focus of the programs. Although Congress substantially reduced meal subsidies for paid meals in 1980 and 1981, it was unwilling to eliminate such Federal aid entirely, both for philosophical and pragmatic reasons.

The school lunch program had been conceived in 1946 as a broad-based nutrition support program for all children, and over the years this goal had been consistently reaffirmed by Congress. Additionally, there was philosophical objection to what was viewed as turning child nutrition programs into welfare (income-tested) programs. Many school officials objected that the proposal to confine coverage to low-income children would cause paperwork burdens, and they said it would reduce the programs' broad support and make them more vulnerable to cutbacks in local, State, and Federal funding. School officials and others also maintained that elimination of even the minimal Federal support for meals served to nonpoor children would raise prices and reduce participation by such children. It was argued that the financial support needed from these children's meal payments would be lost, and that the unit cost of producing meals for lower-income children would be increased because of the loss of economies of scale from reduced program size. Another concern was that schools would have difficulty protecting low-income children from being identified if coverage were confined to them. Further, some said that schools with small percentages of low-income children might stop participating in the Federal program entirely. Largely in response to these arguments, the Congress voted to substantially lower Federal subsidies for meals served to nonpoor children, rather than to eliminate this assistance entirely.

I. PROGRAM RESTORATIONS AND REFINEMENTS, 1983–1993

Following the 1981 budget reduction law, both the Reagan and Bush Administrations continued to submit budgets to Congress that proposed eliminating or restricting child nutrition program benefits for non-poor children. The Congress, however, was reluctant to make any further cuts and rejected these budget proposals. Instead, it protected child nutrition programs from further budget law cutbacks by exempting them from funding reductions that, under various budget deficit reduction measures, would automatically occur whenever Federal deficit reduction targets were not met. Congressional attempts in 1983, 1984, and 1985 to enact child nutrition legislation that would have restored some of the earlier funding losses were not successful.

Thereafter, however, the Congress had more success. It passed legislation in 1986, 1987, 1988, 1989, 1990, and 1992 containing provisions that moderated some of the earlier changes in Federal payments and program eligibility.[7] These laws included: (1) program reauthorizations; (2) increased subsidies for school breakfasts and authorization of a school breakfast start-up grant program; (3) the creation of new programs and demonstration projects extending food program eligibility to homeless preschool children and disadvantaged youth participating in National Youth Sports programs; (4) the restoration of summer food program eligibility for certain private non-profit agencies, school lunch and breakfast eligibility for private schools, and special milk program eligibility for certain kindergartens; (5) the addition of adult day care facilities to child care food program eligibility, and demonstration projects permitting reimbursements for an additional meal or snack in family day care homes in one State, and participation by certain otherwise ineligible for-profit child care facilities in two States; (6) allowance for receipt of snack reimbursements under the school lunch program in certain schools operating after-school care programs; (7) changes in requirements for the type of milk offered in school meals; (8) requirements that meals follow dietary guidance developed by the Secretary; and (9) the creation of a food service management institute. Numerous provisions intended to provide relief to program operators from some of the administrative (or paperwork) burdens associated with program operations also were enacted. These included automatic eligibility for children in food stamp and AFDC households, universal school meal and alternative meal counting pilot projects, the institution of a uniform accountability (so-called coordinated review) system for school food authorities; and a variety of commodity distribution reform requirements.

TABLE 5.—CASH ASSISTANCE[1] TO MEAL SERVICE PROGRAMS, BUDGET AUTHORITY—SELECTED YEARS 1947–1993

[In millions]

Fiscal year	School lunch	Special milk	School breakfast	Child/adult care food	Summer food
			Current dollars		
1947	$59.9				
1950	64.5				
1955	68.9	$50.0			
1960	93.6	85.0			
1965	130.4	103.0			
1970	300.0	104.0	$10.9	$5.6	$1.8
1975	1,285.4	125.0	83.0	54.9	50.2
1980	2,103.8	156.8	247.0	215.7	113.2
1981	2,372.5	118.8	321.0	289.8	105.4
1982	2,045.3	28.1	335.0	270.5	87.4
1983	2,353.9	20.1	341.0	335.2	99.4
1984	2,556.3	11.9	372.6	356.9	105.0
1985	2,656.0	17.6	407.0	434.9	115.1
1986	2,681.1	11.5	404.9	475.8	121.9
1987	3,000.8	17.5	468.3	551.3	127.9
1988	2,935.0	22.1	473.2	613.1	136.3
1989	3,082.2	19.9	513.0	677.4	146.7
1990	3,229.9	22.0	591.5	814.4	163.5
1991	3,553.2	20.4	693.8	927.9	179.1
1992	3,711.9	20.8	801.2	1,189.4	189.3

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[7] Public laws 99–591, 99–661, 100–71, 100–237, 100–356, 100–435, 101–147, and 101–624.

TABLE 5.—CASH ASSISTANCE [1] TO MEAL SERVICE PROGRAMS, BUDGET AUTHORITY—SELECTED YEARS 1947–1993—Continued

[In millions]

Fiscal year	School lunch	Special milk	School breakfast	Child/adult care food	Summer food
1993	4,055.2	23.0	902.4	1,273.2	215.7
			Constant 1993 dollars [2]		
1947	380.4				
1950	381.6				
1955	446.5	324.1			
1960	529.6	480.9			
1965	664.0	524.5			
1970	1,181.5	409.6	42.9	22.1	7.1
1975	3,497.3	340.1	225.8	149.4	136.6
1980	3,675.8	272.6	431.6	376.9	197.8
1981	3,789.4	189.8	512.7	462.9	168.3
1982	3,079.8	42.3	504.5	407.3	131.6
1983	3,390.8	28.9	491.2	482.9	143.2
1984	3,531.6	16.4	514.8	493.1	145.1
1985	3,529.4	23.4	540.8	577.9	152.9
1986	3,429.8	14.7	517.9	608.7	155.9
1987	3,689.2	21.5	575.7	677.8	157.2
1988	3,472.6	26.2	559.9	725.4	161.3
1989	3,488.2	22.5	580.6	766.6	166.0
1990	3,489.8	23.8	639.1	879.9	176.7
1991	3,699.2	21.2	722.3	966.0	186.5
1992	3,775.0	21.2	814.8	1209.6	192.5
1993	4,055.2	23.0	902.4	1273.2	215.7

[1] Cash only, does not include the value commodities.

[2] For FY 1947 and FY 1950, the fiscal year average Consumer Price Index for All Urban Consumers (CPI-U) for All Items was used to convert current to constant 1993 dollars. For all other years, the Food Away From Home component of the CPI-U was used.

Source: U.S. Department of Agriculture, Food and Nutrition Service, Budget Division, and selected years budget explanatory notes.

III. ENACTMENT OF THE NATIONAL SCHOOL LUNCH ACT OF 1946

A. EARLY ORIGINS OF CHILD NUTRITION PROGRAMS

Initial Federal assistance for school lunch programs began in the early 1930s. Some surplus commodities were donated to schools in 1932 on a limited basis, and the Reconstruction Finance Corporation made loans to several towns in Missouri in 1933 for the labor costs of preparing and serving school lunches.[8] By the end of 1934, nonfood assistance was available in some 39 States through the Civil Works and the Federal Emergency Relief Administrations. Trained management personnel and labor were later furnished by the Works Project Administration (WPA) and the National Youth Administration.[9] It was not until 1936 that wide-scale donations of surplus commodities were made to school lunch programs. The driving force for this food assistance was the enactment in 1935 of amendments to the Agricultural Adjustment Act of 1932. Section 32 of the Act of August 24, 1935 (P.L. 74–320), among other things, gave the Secretary of Agriculture a source of funds and the authority to reduce agricultural surpluses, encourage domestic consumption, and divert commodities from normal channels of trade. Essentially, section 32 provided a permanent source of funding from gross customs receipts for the Secretary to purchase commodities for farm support and surplus removal reasons.

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[8] U.S. Library of Congress. Legislative Reference Service. Legislative Background of Federal Food Aid Programs. Report No. 69-216, by Harvey Sherman, Oct. 6, 1969. Washington, 1969.

[9] Cronan, Marion L. The School Lunch. Peoria, Ill., Chas. A. Bennett and Company, 1962.

Although food assistance to schools was not mentioned in the 1935 Act, the wide discretion given the Secretary by this law permitted the donation of surplus commodities to schools. In 1936, the Secretary began donating commodities to schools throughout the country, and by March 1937, 3,839 schools, enrolling more than 342,000 children, were receiving Federal surplus commodities. By 1942, 95,585 of the Nation's 222,000 public and private elementary and secondary schools and 6.6 million children were participating in the program.[10]

Surplus commodities purchased by the USDA with section 32 agricultural support funds continued to be the basis for Federal support of school food programs from 1935 to 1944. However, the reduced availability of surplus commodities and transportation difficulties of wartime mobilization lessened the amount and types of commodities donated to schools, and in 1943 the number of participating schools began to drop, as shown in table 6.[11]

TABLE 6.—PARTICIPATING SCHOOLS AND ENROLLMENT, FEDERAL COMMODITY SUPPORT FOR MILK AND LUNCH PROGRAMS

Fiscal year	Schools	Children
1937	3,839	342,031
1938	11,021	567,000
1939	14,075	892,259
1940	43,384	3,032,380
1941	67,559	5,040,550
1942	95,585	6,896,220
1943	77,353	5,925,883
1944	34,064	5,218,778
1945	42,405	6,638,024

Source: U.S. Congress. Senate. Committee on Agriculture and Forestry. Providing assistance to the States in the establishment, maintenance, operation, and expansion of school lunch programs. Report to accompany S. 962. Report No. 553, 79th Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1945.

In response to the wartime limitations on USDA commodity donations to schools, Congress in 1943 authorized the Secretary to use section 32 surplus removal funds for the purchase of commodities for school lunch and milk programs. In making FY 1944 agricultural appropriations, Congress provided that up to $50 million of such funds could be used for the operation of school lunch and milk programs.[12] This was the first time that the school lunch program was mentioned in any law, and the effect was to create a school lunch program in an appropriations statute. This law provided that section 32 commodity purchases for the school lunch and milk programs could be made without regard to the usual rules governing surplus removal and donations to increase food consumption.

Under the so-called indemnity program authorized by this law, States were reimbursed for their purchases of agricultural commodities used in serving lunches, up to a per meal maximum determined by the Secretary. Some concern was raised about spending money for a program that was not authorized, and the conference committee report stipulated that a renewal of such funding would not be favored ". . . next year unless the same is specifically authorized by substantive legislation."[13] Some members of the House Committee on Agriculture expressed concern about what they regarded as a misuse of section 32 funds for other than agricultural purposes.

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[10] U.S. Congress. Senate. Committee on Agriculture and Forestry. Providing Assistance to the States in the Establishment, Maintenance, Operation, and Expansion of School Lunch Programs. Report to Accompany S. 962. Senate Report No. 553, 79th Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1945.

[11] Ibid.

[12] Public Law 129, 78th Cong., July 12, 1943.

Early in 1944 an attempt was made to authorize the school lunch program by way of a floor amendment to an omnibus agricultural bill under House consideration.[14] Offered at the direction of the House Committee on Agriculture, this amendment was defeated by a 54 aye to 136 nay vote. Objections to authorizing Federal funds for school lunch programs centered on the growing Federal debt; improved economic conditions that some said ended the need for Federal food relief; the fear that section 32 funds would not be available for direct farm relief; and the view that responsibility for feeding children lay with parents and State or local governments rather than the Federal Government.[15]

Shortly after this vote, the House approved its FY 1945 agricultural appropriations bill (H.R. 4443). Maintaining the conference committee position of the previous year, the House rejected the Administration request that school lunch program funding be continued under the FY 1945 appropriations bill, and it appropriated no funds for the program. However, the Senate amended the House appropriations bill to include school lunch program funding, as well as support for meal programs in child care centers. With an authorizing bill on school lunches pending in conference (H.R. 4278), the House eventually agreed to continue school lunch funding for an additional year under the 1945 appropriations law (P.L. 78–366).

This Act provided $50 million of section 32 funds for food programs in schools, as well as for such programs in child care centers. It also spelled out detailed requirements on the use of this Federal support, adopting much of the language in unpassed bills that would have authorized the school lunch program. Assistance was apportioned to States on the basis of school enrollment and need; payments were not to exceed the costs of food products purchased for the program; no more than 2 percent of the funds could be used for food for children in child care centers, and States and local agencies had to furnish at least the same amount of support (in cash or kind) as was provided by the Federal Government.[16] These requirements were repeated in the FY 1946 appropriations law and established a framework for the forthcoming debate on the National School Lunch Act of 1946.[17]

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[13] Congressional Record, Mar. 6, 1944. p. 2287.

[14] H.R. 4278, The Department of Agriculture Organic Act of 1944 (P.L. 78-425).

[15] Congressional Record, Mar. 7, 1944. p. 2322.

[16] Public Law 367, 78th Cong., Department of Agriculture Appropriations Act, 1945. June 28, 1944 (The addition of support for child care centers reflected the growing number of women in the World War II workforce.)

[17] Public Law 52, 79th Cong., Department of Agriculture Appropriations Act, 1946. May 5, 1945.

B. THE NATIONAL SCHOOL LUNCH ACT—HOUSE CONSIDERATION AND PASSAGE

On June 5, 1945, 1 month after the passage of the FY 1946 agricultural appropriations bill, the House Committee on Agriculture reported H.R. 3370.[18] This bill was reported as a clean bill following committee hearings and amendments to an earlier introduced bill, H.R. 3143. H.R. 3370 provided permanent authority for the funding of school lunch and child care feeding programs. Modeled on earlier appropriations laws and administration of the program by the USDA, it authorized $50 million for apportionment to States for the operation of lunch programs in schools and nonprofit child care centers. No more than 2 percent of the funds could be used for child care centers, and up to 3 percent of funds could be used by USDA for administrative costs. Of the remaining funds, up to 75 percent were to be apportioned to States on the basis of their child population aged 5–17 and their per capita income. Funds remaining after these purposes were met were to be used by the Secretary to purchase and distribute commodities to States for use in school feeding programs. The reported bill also included an authorization for up to $15 million for apportionment by the U.S. Commissioner of Education to State educational agencies to assist them in establishing, maintaining, operating, and expanding school lunch programs, to provide and train technical and supervisory personnel, and to provide equipment and facilities for such programs.

1. Matching Requirements

Past agricultural appropriations had required that Federal funds provided for school lunch programs be matched from sources within the States on a dollar-for-dollar basis. States could count in-kind contributions and children's meal payments in meeting the matching requirement, and this was continued under the matching requirement in the House bill. However, the amount of non-Federal matching was gradually increased from a dollar-for-dollar match in FY 1946 and FY 1947 to $4 dollars in non-Federal support for each $1 in Federal support beginning in FY 1951. A new provision permitted reductions in the amounts States had to match if their per capita income were below the U.S. average per capita income.

2. Role of State Education Agencies

Another new feature in the House bill was the requirement that Federal assistance go through State educational agencies, rather than directly from the USDA to participating schools, as had been the previous practice. Exceptions to this were provided for private schools and child care food programs that did not operate under the auspices of State agencies.

3. Program Requirements

The House bill included provisions establishing conditions for schools' participation in the lunch program. It stipulated that lunches served under the program had to meet nutritional requirements determined by the Secretary. Another new feature of the

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[18] U.S. Congress. House. Committee on Agriculture. School Lunch Program. Report to Accompany H.R. 3370. Report No. 684, 78th Cong., 2d Sess. Washington, U.S. Govt. Print. Off., 1945.

House bill was the requirement that schools offer free or reduced-price lunches to children whom school food authorities determined to be unable to pay the full cost of lunches. This was the first time that meal service for lower-income children was stipulated by law, although in the early days of the New Deal commodity donations had been distributed to schools in proportion to the number of children who schools judged were eligible for free meals. Moreover, many schools participating in the subsequently developed lunch program offered lunches at no cost or at reduced cost to needy children.

4. Broadened Focus of Federal School Lunch Support

Except for loans made during the 1930s by the Reconstruction Finance Corporation for equipment and the construction of cafeteria facilities and for WPA personnel support provided under New Deal programs, Federal aid had been limited to the food costs of operating school lunch programs. With the end of these New Deal programs, Federal assistance for lunch programs was solely derived from agricultural support funds and could be used only for directly related costs of purchasing, preparing, and serving food. Title II of the House bill authorized funding for equipment assistance, as well as for the development of nutrition education and the training of technical and supervisory school lunch personnel. The requirements for apportionment and matching of Federal funding under this new title were the same as those specified for the apportionment of funding for food assistance under Title I of the bill.

The addition of Title II to the House-reported bill, the requirement that school lunches meet nutrition requirements, and the rule that schools must offer meals at free or at a reduced price to low-income children all signaled a departure from the past agricultural emphasis of the program. The use of surplus agricultural commodities continued to be an important feature of Federal support for school lunch programs under the House bill. However, the educational and nutritional benefits of the program occupied considerably greater attention in Congress. The absence of surplus commodities in 1945 undoubtedly contributed to this new emphasis on the nonagricultural basis for the program.

Although proponents continued to point out the importance of school lunch programs to domestic food consumption and their role as an outlet in the event of agricultural surpluses, most support for the bill expressed in the House debate concentrated on the program's value to the health, education, and welfare of children. Much of the focus on nutrition was a result of hearings held by the Senate Education and Labor Committee in 1944 on wartime health and education. During these hearings, Major General Lewis B. Hershey, Director of the Selective Service Commission, had testified that nutrition-related health problems were a factor in substantial numbers of rejections for wartime military service. Dr. Thomas Parran, Surgeon General of the U.S. Public Health Service also testified on the nutritional inadequacy of many American diets, and the consequences of poor nutrition to health.[19] These witnesses were called again during House Agriculture Committee hearings on school lunch legislation and both again attested to nutrition-related problems that impeded military service and good health and education.[20]

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[19] U.S. Congress. Senate. Committee on Education and Labor. Wartime Health and Education. Hearings, 78th Cong., 2d Sess. Washington, U.S. Govt. Print. Off., 1944.

Also, while the House was considering legislation to establish a school lunch program, a House Special Committee on Postwar Economic Development and Planning was studying the school lunch proposal within the context of long-range agricultural policy. A subcommittee report to this committee noted that the school lunch program supplied a double benefit: assisting in the building of sound nutritional habits and helping provide needed food elements to children during the critical growing age. The final report of this special committee (known as the Colmer Committee after its chairman, William Colmer) recommended an educational and assistance program to improve the nutritional standards and food consumption of the American people and a program to improve the diet and nutrition of low-income consumers in periods of economic distress.[21]

5. House Floor Debate

Floor debate on the House bill mentioned the farm support aspect of the school lunch program, but placed the greatest emphasis on the value of the program to children's health, diet, and nutrition, as well as their education. Agriculture Committee Chairman Flannagan said the school lunch bill under consideration:

> . . . looks to the betterment of two classes in America that are dear to my heart, in that it gives consideration to the children whose health it will protect, and to the farmers whose economy it will strengthen.[22]

Arguing the need for this legislation to improve knowledge about children's diets, Mr. Granger of Utah stated his belief that:

> I believe that the farmers of the country and the people generally know more about the diet for the welfare of livestock than they do about the necessary diet for a child.[23]

Mr. Kelley, chairman of the Subcommittee on Aid to the Physically Handicapped, emphasized the importance of diet to good health:

> If we are not careless with the health of our children, the great numbers of physically handicapped in the national can be reduced. One of the safeguards we may intelligently and economically employ is the providing of the most excellent school lunch we can devise.[24]

Mr. Cannon of Missouri linked the program directly to education in his remarks supporting the bill:

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[20] Other witnesses testifying before the House Agriculture Committee on H.R. 2673, H.R. 3143, and H.R. 3370 (reported), bills relating to the school lunch program, included the Medical Director of the Public Health Service, the U.S. Commissioner of Education, the War Food Administrator, the Assistant Administrator of the Federal Security Agency, and numerous directors of school food programs and members of local school boards.

[21] U.S. Congress. House. Special Committee on Postwar Economic Development and Planning. Postwar Economic Policy and Planning: Postwar Agricultural Policies. House Report No. 2728, 79th Cong., 2d Sess. Washington, Aug. 6, 1946. p. 37.

[22] Congressional Record, Feb. 19, 1946. p. 1454.

[23] Ibid., p. 1461.

[24] Ibid., p. 1453.

> A hungry child cannot study properly. A poorly nourished child cannot learn readily. In providing food we are not only nourishing the body and producing a sturdier generation of children, but we are securing a higher grade of scholarship in the schools of the nation.[25]

Mr. Harless of Arizona integrated the national defense argument for the program into his general support for the bill as being beneficial to the diet and education of children. Said Mr. Harless:

> It is essential for the national defense of our country that all of the youth of this nation be properly fed. It is not only necessary for the national defense, but it is necessary for peacetime operations, that the children of this nation be given good, wholesome food, that they be given a diet that will mature their bodies and make it possible for them to acquire a complete education.[26]

Those who objected to the bill primarily found fault with its cost and impact on the deficit, and with the notion that school feeding was a Federal responsibility. Mr. Arends of Illinois argued that:

> With an unprecedented Federal debt of around $280 billion, it might well be said that our country is broke, and if not broke then so close to it that it is not even funny. We just cannot continue to spend money we do not have. . . . The objective of hot school lunches is desirable, but I do not believe that Uncle Sam is in a position where he can, or should spend $65 million to initiate such a permanent program.[27]

On the same subject, Mr. Buck of New York said of the school lunch bill:

> This bill will further unbalance the Federal Budget at a time when State treasuries are bulging with money. For that reason alone, the bill should be defeated.[28]

Mr. Gwynne of Iowa clarified the objections of some others in his outline of who was responsible for feeding children, and the order of responsibility:

> I believe in school lunches. I believe in children having proper food and proper education, but those responsibility is it? The responsibility is first upon the parents. If they cannot meet it, the duty then devolves upon the local community, then upon the State, and lastly upon the Federal government.[29]

Concern about Government bureaucracy and Federal intrusion in State and local educational matters also caused objections to the bill. For some, this problem applied to all aspects of the bill, but most objections were directed to the proposed new Title II. Mr. Andresen of Minnesota had this to say about this provision:

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[25] Ibid., p. 1466.
[26] Ibid., p. 1465.
[27] Ibid., p. 1451.
[28] Ibid., p. 1464.
[29] Ibid., p. 1467.

> I still favor school lunches, but I do not favor the creation of a new bureaucracy in Washington to tell the people of this country what they must do. I refer to Title II of the bill in particular which creates a new department in the Bureau of Education.[30]

Mr. Clevenger of Ohio elaborated on this objection:

> This Title II of the bill which provides $15 million to the Commissioner of Education to set up this program within our schools means eventual Federal control of the school systems of this country. . . . If you participate in this thing you will find that under Title II you have lost control of your free public-school system when the Commissioner of Education gets it well organized.[31]

An amendment introduced by Mr. Andresen to strike Title II of the bill was adopted by a voice vote on the third day of House debate.[32] Other amendments introduced by opponents of the entire bill (Title I and Title II) had less success. Mr. Buck of New York's amendment would have permitted only State revenues to be counted toward eventual $4 State to $1 Federal match. Although some States had been contributing to school lunch program costs, this was never required by law since matching funds could consist entirely of revenue or support from non-State sources such as children's meal payments and contributions from local school districts, and volunteer agencies such as PTAs. Mr. Buck's amendment would have required States to use their own revenue for the program the first time, and in a considerable amount. This amendment was defeated by a voice vote.[33] An amendment by Mr. Abernathy of Mississippi, which would have ended the lunch program after FY 1951, instead of providing a permanent authorization, was narrowly defeated on a teller vote, with 124 voting aye and 127 voting no.[34]

The most controversial amendment introduced during House floor consideration of H.R. 3370 was that of Mr. Powell of New York to restore language that had been struck by the Agriculture Committee during its consideration of the bill.[35] The language that Mr. Powell proposed to restore prohibited States or schools from receiving funds under the program if they discriminated on the basis of race, creed, color, or national origin in using school lunch program funding. This provision was dropped during committee consideration because of concern that it would make the bill more controversial, and difficult to pass. Further, it was held to be unneeded because no charges of racial, ethnic, or religious discrimination had been reported during the previous years of program operations. The Powell amendment raised objections by members who expressed concern that it would prohibit any Federal funding of school lunch programs in States with segregated school systems. These objections were countered by Mr. Powell and Committee

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[30] Ibid., p. 1460.
[31] Ibid., p. 1460.
[32] Congressional Record, Feb. 21, 1946, p. 1540.
[33] Congressional Record, Feb. 20, 1946, p. 1488.
[34] Ibid., p. 1491.
[35] Ibid., p. 1493.

Chairman Flannagan who contended that the issue was being used by opponents of the school lunch program who wanted to defeat the bill. They argued that the anti-discrimination language was not intended to deny program benefits in schools that were segregated, but rather to assure that children in both black and white schools would have equal access to the program. The language of the Powell amendment was slightly revised to clarify this intent and was approved by a division vote of 114 ayes to 48 nays during the Committee of the Whole deliberations.[36] A separate vote was demanded just prior to House passage of the bill, and the Powell amendment was affirmed by a vote of 258 ayes to 110 nays, with 62 not voting.[37] After 3 days of debate, H.R. 3370 was passed by the House on February 21, 1946, on a vote of 276 ayes, 101 nays, 50 not voting, and 3 voting present.

C. SENATE CONSIDERATION AND PASSAGE

1. Committee-Reported Bill

The Senate Agriculture and Forestry Committee considered several different bills proposing the establishment and operation of a federally supported school lunch program during the last session of the 78th Congress and the first session of the 79th: S. 1721, introduced by Mr. Wagner; S. 1820, introduced by Mr. Russell, and S. 1824, introduced by Mr. Smith and Mr. Ellender. Extensive hearings were held by the committee on S. 1820 and S. 1824, and on July 28, 1945, a compromise version of these bills, S. 962, was reported favorably by the committee.[38]

S. 962 provided a permanent authorization of $100 million for grants to States for the purchase of food for lunch programs in public and private nonprofit elementary and secondary schools. This was twice the amount that had been authorized in the House-passed bill. Assistance for lunches in child care centers, which had been funded under earlier appropriations laws and was authorized in the House-passed school lunch bill, was not permitted by the Senate bill, except in Puerto Rico. The method of apportionment of funds was similar to that in the House bill except that there was no provision setting aside up to 2 percent of funds for food programs in nonprofit child care centers. Approximately 75 percent of the funds appropriated were to be apportioned to States through the State educational agency for the purchase of foodstuffs for children's lunches. These funds were to be apportioned to States on the same basis as had been specified in the House-passed bill, the number of school-aged children in the State, and State per capita income. No more than $3 million of these apportioned funds could be spent for school lunch programs in the territories (at that time, Hawaii, Alaska, Puerto Rico, and the Virgin Islands). A maximum of up to 4 percent of appropriated funds could be used by the Secretary of Agriculture for the Federal costs of operating and administering the program. Remaining funds were to be used by the Secretary to purchase and distribute commodities to States for use in school lunch programs.

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[36] Ibid., p. 1498.

[37] Congressional Record, Feb. 21, 1946. p. 1540–41.

[38] U.S. Congress. Senate. Committee on Agriculture and Forestry. Providing Assistance to the States in the Establishment, Maintenance, Operation, and Expansion of School Lunch Programs. Report to Accompany S. 962. Senate Report No. 553. 79th Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1945.

Like the House bill, S. 962 had a matching requirement that was phased in over a period of time, and that permitted in-kind contributions. But the Senate bill phase-in was slower, and the final matching was $3, as opposed to the $4 to $1 matching requirement in the House bill. Like the House bill, S. 962 also required that lunches meet minimum nutrition requirements set by the Secretary and that lunches be served free or at reduced price to children determined by local school authorities to be unable to pay the full cost. The Senate committee bill included a provision similar to one dropped from the House bill during floor debate, which authorized $15 million for the Commissioner of Education to assist States in training technical personnel, purchasing equipment, and developing nutrition education for lunch programs.

2. *Senate Floor Debate*

On February 26, 1946, 5 days after the House passed H.R. 3370, the Senate began consideration of S. 962. As was the case in the House, Senate debate emphasized the educational and nutritional and health benefit of the program over its benefit to agriculture. However, Senate floor debate was relatively brief. Senator Russell opened debate after several noncontroversial committee amendments were approved. Noting the educational benefits of the school lunch program, Senator Russell said:

> Mr. President, I may say that, in my opinion, this program has been one of the most helpful ones which have been inaugurated and promises to contribute more to the cause of public education in these United States than has any other policy which has been adopted since the creation of free public schools.[39]

Senator Taft said that housing and health were more appropriate Federal concerns than school lunch, which he saw as the responsibility of States. He disagreed with Senator Russell's contention about the educational value of the lunch program, saying:

> I really think the relation to education is rather remote. I think it really must be justified on the ground of its relation to the health program.[40]

Senator Aiken conceded that the school lunch bill might be more appropriately regarded as a health bill than an education bill, but noted that:

> . . . from my experience as a director of schools during a 15 year period, I know for a fact that a child that has enough to eat is definitely a better student than a child that goes to school with little of the proper food to eat.[41]

In reference to the dietary and nutritional benefits of the program, Senator Russell argued that:

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[39] Congressional Record, Feb. 26, 1946. p. 1610.
[40] Ibid., p. 1624.
[41] Ibid., p. 1625.

> This program has been of vast benefit in improving the standards of nutrition in this country. . . . I have found that what the children have learned in school concerning the preparation of food in the school and the value of various foods, was carried home to their parents. In some cases school children were able to educate their own parents as to a better use of food and as to the nutritive values of various foods.[42]

Opposition to the school lunch bill in the Senate centered on its constitutionality and its failure to identify Federal sources of revenue to pay for it. Senator Donnell introduced an amendment requiring the Secretary of Treasury to deposit in a special account, sufficient funds from taxes, duties, imposts, or excises to cover the costs of funding the school lunch program. Said Senator Donnell:

> . . . there is no provision, so far as I know, in the Constitution of the United States under which an appropriation for the purposes sought in this bill can be made unless the provision be what is known as the general welfare clause; namely section 8 of Article I of the Constitution of the United States. . . . I think that there is adequate provision under the general welfare clause, provided the funds so used are derived solely from taxes, duties, imposts and excises to cover the situation. . . .[43]

Alluding to findings that substantial numbers of men had been rejected for military service in World War II because of nutrition-related health problems, Senator Pepper asked if the common defense of the Nation did not constitutionally justify the appropriation of school lunch funds:

> If the school lunch program is for the purpose of improving the health of the boys and girls of the Nation, would it not contribute to the provision for common defense, which is one of the cardinal fundamentals for which the Constitution was ordained and established?[44]

Senator Donnell's amendment requiring identification of the Federal revenues used to finance the lunch program was defeated. Another amendment was introduced by Senator Taft, who objected to the fact that there was no required contribution from State revenues to meet the matching provisions of the bill. The matching provision permitted in-kind contributions, and funding derived from children's meal payments and local school and voluntary agencies could be used to match Federal funds. To place more responsibility on the States for the operation of the school lunch program, Senator Taft offered an amendment which lowered the $100 million authorization of Federal funding to $57.5 million. Said Mr. Taft:

> The point is, Why should the Federal government pay for the lunches of every school child in the United States? Why should not the States do it? The Federal government can help, but why should not the States put something up?

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[42] Ibid., p. 1611.
[43] Ibid., p. 1618.
[44] Ibid.

> There is nothing in this bill which requires the States or school districts to put up a red cent, except for supervision. All the rest of the cost can be charged to the children. So this is really not a matching bill in the ordinary sense in which matching bills have been drafted. It seems to me the only way we can force the matching, unless we rewrite the whole bill, is to reduce the amount. . . .[45]

Senator Taft's amendment was defeated by a vote of 21 yeas to 50 nays, with 25 not voting. Senator Taft also objected to the creation of a bureaucracy in the Commissioner of Education's office to oversee the establishment of the separate Title II program which provided Federal funding for school lunch equipment, nutrition training and education, and other nonfood services. He offered another amendment proposing to strike Title II of the bill. Senator Ellender argued for the Title II provision of Federal nonfood assistance, stating:

> Thousands of schools will need help in employing trained lunch room managers and operators if they are to make the wisest use of the aids provided through Title I. . . . Without some help in providing equipment, school lunch programs cannot be established in many of the schools now without programs. . . . I consider Title II a most necessary adjunct to the continuation and expansion of our school lunch program. . . . I desire to see this program expand so that it will reach all sections of the country, particularly where such help is needed in order to foster and stimulate school lunch programs.[46]

The Taft amendment striking Title 11 was rejected by a vote of 25 yeas to 47 nays, with 24 not voting. Thus, the Senate retained the provision authorizing $15 million for nutrition training, education, and equipment assistance that had been deleted from the House-passed bill. Following the vote on the Taft amendment, the Senate amended the House bill, H.R. 3370, by striking all after the enacting clause and substituting S. 962. The Senate then passed the amended bill without a recorded vote, and approved a motion to go to conference with the House on the bill differences.

D. CONFERENCE AGREEMENT AND ENACTMENT

House conferees on H.R. 3370 were Representatives J.W. Flannagan, Jr., Clifford R. Hope, Stephen Pace, August H. Andresen, Orville Zimmerman, and Harold Cooley. Senate conferees were Senators Richard Russell, Arthur Capper, Allen J. Ellender, and George Aiken. The compromise agreement reached by these conferees (H. Con. Rept. 2080) was passed by the House on May 23, and by the Senate on May 24, 1946, without objection. It was signed by President Truman on June 4, 1946. In signing the new law, President Truman referred to the benefits of the program both to the children and farmers of the Nation:

> In the long view, no nation is any healthier than its children or more prosperous than its farmers; and in the Na-

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[45] Ibid., p. 1625.

[46] Ibid., p. 1626–1627.

> tional School Lunch Act, the Congress has contributed immeasurably both to the welfare of our farmers and the health of our children.[47]

The finally enacted school lunch law was entitled the National School Lunch Act. It maintained most of the major provisions that had been approved in the initial House and Senate passage of H.R. 3370 and S. 962. However, there were some changes. Unable to agree on the amount of the authorization for food purchases for schools, the conferees eliminated the authorization ceilings voted by the House and Senate, $50 million and $100 million, respectively, and substituted a provision authorizing "such sums as may be necessary." Beginning in FY 1947, the law permanently authorized appropriations of such sums to assist the Secretary of Agriculture in carrying out programs authorized by the new Act. A declaration of policy stipulated that the program was intended not only to encourage the consumption of agricultural commodities but also, "as a measure of national security, to safeguard the health and well-being of the Nation's children. . . ."

Funding was to be apportioned to the States under the same formula as had been proposed by the House and Senate bills: 75 percent according to the number of school-aged children and State need, as reflected by per capita income. No more than 3 percent of the funds so apportioned could be provided to the territories of Alaska, Hawaii, Puerto Rico, and the Virgin Islands. There was no provision for funding of child care centers, except for Puerto Rico where these could be included under the definition of schools.

Additionally, up to $10 million, rather than the $15 million specified in the Senate bill, was authorized to be apportioned by the Secretary to States for nonfood assistance, in the same manner as funding for foods was apportioned. Nonfood assistance was defined by law as aid to States to purchase equipment for use on school premises to store, prepare, and serve food under the program. The nonfood provisions enacted under the final law differed from those in the original Senate-passed bill and in the House-reported bill in several ways. First, Federal aid was provided as a part of the overall school lunch program instead of under a separately authorized title. Second, responsibility for the distribution of funds was placed with the Secretary of Agriculture instead of the Commissioner of Education. Third, a method for the apportionment of funds was established in law rather than being left to the discretion of the administering Federal official. Finally, the revised provision permitted funding only for assistance directly related to storing, preparing, and serving school lunches. Federal funding for nutrition education and training, which had been permitted under the original Senate-passed bill, was eliminated. These changes reflected concerns about Federal interference in local education that had been raised during both House and Senate floor debate. In fact, a provision was added in a separate part of the finally passed bill that expressly forbade the Secretary and the State from imposing any requirements in the administration of the school lunch program over teaching personnel, curriculum, or materials and methods of instruction.

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[47] Public Papers of the Presidents of the United States. Harry S. Truman. Jan. 1 to Dec. 31, 1946. Washington, U.S. Govt. Print. Off., 1962.

Under the finally enacted law, an additional amount, not to exceed 3.5 percent of the amount appropriated for the program could be used by the Secretary for the Federal administrative expenses of operating the program. All funds remaining after the apportionment of the initial 75 percent among the States and the provision of Federal administrative expense funds were to be used by the Secretary to purchase commodities directly, and to distribute them to the States for school lunch programs.

The matching requirements were essentially the same as those enacted under the original Senate-passed bill—for FY 1947–50, $1 from sources within the State was required for each Federal dollar; for FY 1951–55, $1.50 in non-Federal funds were required for each Federal dollar, and from FY 1956 on, the matching rate was to be $3 in non-Federal funds for each Federal dollar. As in both the House and Senate versions, the finally enacted law permitted in-kind donations and services to be used to meet the matching requirement, and required a reduction in the matching rate for States with per capita incomes below the U.S. per capita income.

As earlier USDA regulations had required, the new law prohibited schools from making profits on their lunch programs, and from receiving Federal payments in excess of a maximum food-cost contribution rate established by the Secretary. The final law also adopted the earlier requirements in both bills that lunches meet minimum nutritional requirements. These were to be established by the Secretary on the basis of tested nutritional research. The requirement that schools offer meals at no cost, or at reduced cost to children unable to pay the full cost of a meal also was maintained in the finally enacted law. House and Senate provisions that prohibited schools from physically segregating or discriminating against children who received free or reduced-price lunches, also were incorporated.

Controversial language contained in both the House and Senate bills that prohibited racial discrimination in the use of school lunch funds was revised to clarify questions about its meaning that had arisen during the House floor debate. The revised language stipulated that if a State maintained separate schools for minority and majority races, school lunch funds would not be provided unless the State justly and equitably distributed such funds for the benefit of minority races.

E. FIRST APPROPRIATIONS UNDER THE ACT

On June 22, 1946, 18 days after the President signed the National School Lunch Act, FY 1947 agricultural appropriations were enacted requiring that $75 million in section 32 agricultural support funds be used to implement the newly authorized school lunch program.[48] This funding was for State grants and the commodity support portion of the program. The FY 1947 appropriation law made no reference to the $10 million authorized in law for nonfood assistance to States under section 5 of the National School Lunch Act. However, in the 1948 appropriation law, and annually thereafter until 1967, Congress explicitly prohibited use of any school lunch appropriations for nonfood assistance.[49]

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[48] Public Law 79–422.

F. ESTABLISHMENT OF NUTRITION REQUIREMENTS

On August 16, 1946, the USDA issued regulations in the Federal Register governing the operation of the national school lunch program. For the first time these regulations established nutritional requirements for the three types of lunches authorized under the program. These regulations also set maximum amounts that Federal grant funding could provide for each type of lunch. The Type A lunch had to consist of a complete lunch, hot or cold, and was to provide one-half to one-third of one day's nutritive requirements for a child. The maximum rate of payment a school could receive for a Type A lunch was 9 cents. To be eligible for a Type A lunch payment, schools had to serve: (1) one-half pint of whole milk; (2) 2 ounces of meat, poultry, fish, or cheese, or one-half cup of cooked dry peas, beans, or soybeans, or 4 tablespoons of peanut butter; (3) 6 ounces of vegetables and/or fruit; (4) one portion of bread, muffins, or other hot bread made of whole grain cereal or enriched floor; and (5) 2 teaspoons of butter or fortified margarine.

The Type B lunch was described as an incomplete lunch, hot or cold, and "less adequate" than a Type A lunch. The maximum payment a school could receive for a Type B lunch was 6 cents. To qualify for this payment a school would have to serve the same types of items as were required for the Type A lunch, but smaller servings of meat or protein alternates, fruits and vegetables, and butter or margarine were permitted. Because the Type B requirements were designed for schools that had limited lunch facilities and could be supplemented by foods brought from home, regulations permitted building around a main dish, or serving sandwiches consisting of required items, so long as both included milk and fruits or vegetables.

The Type C "lunch," was not really a lunch, but rather a half-pint of milk, which could qualify for a maximum reimbursement of 2 cents per container.

PART 2. PROGRAMS—DESCRIPTION, HISTORY, AND EVALUATIONS

I. THE NATIONAL SCHOOL LUNCH PROGRAM

A. PROGRAM SUMMARY AND DESCRIPTION

The national school lunch program is permanently authorized under the National School Lunch Act of 1946. The program provides Federal financial assistance and commodities to schools serving lunches that meet required nutritional standards. As of March 1993, 92,900 public and private schools and residential institutions were participating in the program, serving lunches to approximately 25 million children. In FY 1993, the Federal Government provided 4.1 billion in cash assistance and approximately $746 million worth of commodities to States for the operation of lunch programs in schools, according to preliminary estimates.

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[49] P.L. 80–266 was the first appropriation law to do this. Thereafter, Congress continued to include this exception in annual appropriations laws. A new, separately authorized nonfood assistance provision was included in the Child Nutrition Amendments of 1966, and appropriations were provided for this program beginning in FY 1967. However, appropriations law continued to prohibit the use of school lunch funds for nonfood assistance under section 5 of the National School Lunch Act.

Federal assistance for this program is provided by way of cash and commodity reimbursement for each meal served, at rates that are set in law and adjusted for inflation. The amount of the cash reimbursement varies according to the family income of the participating child although all meals are minimally subsidized by a basic cash and commodity reimbursement regardless of family income (sections 4 and 6 of the National School Lunch Act). Additional reimbursements are provided for each lunch served to a needy child (section 11 of the National School Lunch Act), with need determined on the basis of a specified percentage of the Federal poverty income guidelines. Free meals are available to children whose family income is no greater than 130 percent of the poverty guidelines, and reduced-price meals are available to children from families with incomes between 130 percent and 185 percent of these guidelines.

The basic (or section 4) cash reimbursement for the 1993–94 school year for each lunch served is 16.5 cents, except in school districts determined by law to be in special need because 60 percent or more of the meals are served free or at reduced price. In such school districts, the reimbursement is 2 cents higher, or 18.5 cents per lunch. Additional (or section 11) cash reimbursements are provided for lunches served free or at reduced price to low-income children. For the 1993–94 school year, the added free lunch reimbursement is $1.56 for each free meal served, and thus the Federal Government will provide a total cash subsidy of $1.725 (plus 2 cents in special-need schools) for each free lunch served. The reduced-price reimbursement rate is set by law at 40 cents less than the free rate; thus, schools will receive a Federal cash reimbursement of $1.325 (plus 2 cents in special-need schools) for each reduced-price lunch they serve.

In addition to the cash reimbursement, commodities valued at a specified amount, adjusted for inflation, are required for each school lunch served under section 6 of the National School Lunch Act. These are provided without regard to the family income of the participating child. For the 1993–94 school year commodities valued at 14.0 cents for each lunch must be offered to States for their school lunch programs. In addition to these so-called “entitlement” commodities, bonus commodities may be offered for school lunch programs when available from USDA holdings

The USDA estimates that for FY 1993, approximately 4.2 billion lunches were served through the national school lunch program. Over half (55%) of these meals were expected to be served free or at reduced price to needy children. The remaining 45 percent were expected to be served to children under the basic, or so-called “paid” lunch program, which provides for lower Federal subsidies that are unrelated to family income. Although only a little over half of the lunches served under the school lunch program are provided free or at reduced price to lower-income children, nearly 92 percent of Federal cash assistance for school lunches is used to support free and reduced-price lunches. Commodity assistance, which is provided without regard to children's family income, is almost equally divided between lower-income and nonpoor children.

B. LEGISLATIVE AND PROGRAM HISTORY

1. Overview

In the 53 years since the Federal Government began supporting lunch programs in schools 25 laws have been passed by Congress making changes in the form and the goals of Federal school lunch assistance. By and large, perceived societal needs and the circumstances of the time governed most of the changes that Congress made. However, when taken together over the course of the program's history, the changes reflect some consistent patterns in school lunch program policymaking by Congress. Among these was congressional insistence that the program maintain its agricultural heritage through its utilization of commodities, irrespective of agricultural conditions and the growing reliance on cash assistance. Congress also consistently rejected proposals to narrow the program's benefits to include only low-income children. This did not interfere, however, with consistent congressional support for the growing commitment of Federal funds (now accounting for nearly 92 percent of Federal program costs) to the service of free and reduced-price lunches for low-income children. This section summarizes the transformations in the school lunch program over the course of its history.

As farmers suffered from the price-depressing effects of overproduction and worldwide market collapse in the 1930s, the Government acquired commodities and donated them to schools for lunch programs. In addition, Federal efforts to promote employment led to the hiring and training of school lunch workers by the Works Project Administration (WPA). Unemployment, surplus farm crops, and low food prices gave way to manpower shortages, tight food supplies, and high food prices after the United States entered World War II. Lessened supplies of USDA commodities, together with wartime difficulties of transporting them to schools, prompted legislation providing Federal cash support to schools for meal service programs. This cash assistance was derived from agricultural revenues (section 32), and schools were directed to use these funds only for food purchases. USDA commodities continued to be available to schools if farm conditions necessitated their purchase and disposal.

Although cash assistance for the school lunch operations may have been considered a temporary expedient due to wartime needs, it established a framework for future school lunch legislation. Over time cash and commodity assistance (irrespective of surplus conditions) became permanent program features, financed from both agricultural revenues (section 32) and from direct appropriations.

The war years also saw Federal support for lunch programs justified by the growing numbers of women in the workforce, and Congress authorized the use of school lunch funding and commodities for meal programs in child care centers. Although this rationale for Federal support of school lunch programs (as well as Federal support for lunches in child care centers) waned in the postwar years, it was to reemerge in later years as growing numbers of mothers of young children entered the workforce. Reports of substantial rejections of young men for military service due to nutrition-related health problems also increased support for Federal involvement in child nutrition during the war years, and in 1946 the program was permanently authorized by the National School Lunch Act.

In the decade following the enactment of this law there was little activity concerning the national school lunch program. Participating schools and children continued to grow, and appropriations as well as commodity donations gradually increased. However, by the late 1950s pressure had begun to build for extra Federal assistance to schools that were *not* participating in the program. Many of these schools had large populations of low-income children who could not afford to pay the regular price of a "paid" school lunch. Consequently, these schools were unable to collect revenue from children's meal payments to offset the cost of operating a program. Additionally, such schools usually did not have sufficient local community resources to support lunch programs. Although the law required schools participating in the program to offer meals free, or at a reduced price to low-income children, many needy children went unserved because their schools could not afford to operate a school lunch program. In response to this situation, Congress passed legislation in the early 1960s authorizing a "special assistance" program for schools with large populations of low-income children.

This extra Federal funding for lunches served to needy children and subsequent changes in law that increased and expanded eligibility for this funding set in place a new goal for the school lunch program: help for low-income children. Over the years this goal came to compete with another program goal: better nutrition for all children. A continuing issue in debates over the lunch program has been whether it should be a broad-based nutrition program for all school children, or (primarily or exclusively) a nutritional and income support program for low-income children.

In the mid-1960s, as part of a coordinated Federal "War on Poverty," attempts were made to narrow the school lunch program's focus to poor children and to expand Federal meal services to needy children outside the school population. These and more recent attempts to cut off Federal support for meals served to nonpoor children have been consistently rebuffed by Congresses that wanted the program to provide nutrition support for all children, but were willing to increase support for meals served to needy children, if this were done without reducing overall aid.

In the early 1970s Congress began to focus on the operational needs of school lunch programs. It enacted a series of laws that established guaranteed cash and commodity reimbursements for each school lunch served and required inflation adjustments in these reimbursements. This so-called "performance funding" feature was designed to encourage program expansion by assuring schools of the amount of Federal funding they would receive. Congress maintained a basic cash and commodity reimbursement for all meals served, plus additional special assistance reimbursements for meals served free or at a reduced price to lower-income children. Additionally, Congress established uniform, national income eligibility criteria for children receiving free and reduced-price lunches so that the equal reimbursements would be provided to schools serving such meals.

Once Congress established uniform meal reimbursements for all lunches served, the varied financial support for different types of lunches according to their degree of nutritional content (the so-called Type A, B, and C lunches) disappeared, and attention was focused on the nutritional value of school lunches. Contributing to this focus was the growing scientific evidence and public awareness during the 1970s of the value of nutrition and balanced diets to good health. Although the law did not set nutrition standards for meals, it had always required the Secretary to develop such standards, based on tested nutritional research. With adoption of uniform meal reimbursements for all lunches, the USDA refined the so-called Type A lunch requirement (which had to provide one-third to one-half of the Recommended Dietary Allowance (RDA)) and used it as the new requirement for all lunches served under the program.

In a related matter, at the behest of nutritionists and school food program operators, Congress turned its attention to complaints about the quality of foods being sold in competition with school lunches, and it regulated the sale of such foods. Congress also responded to criticisms of food waste in school lunch programs by permitting high school children to refuse certain items contained in a school lunch. Until this provision was enacted, if a child did not take all of the required items in a school lunch, the lunch could not be federally reimbursed. The "offer vs. serve" option eventually was extended to include elementary school students, at the option of the local school food authority.

By 1980, the school lunch program had enjoyed 45 years of uninterrupted growth in Federal support. Nearly 27 million children were receiving federally subsidized lunches under the program, of whom just under 12 million were from lower-income families, and Federal cash and commodity assistance totalled over $3 billion. The new decade, however, brought increased pressure to reduce Federal budget deficits and a climate of support for reducing spending for Federal domestic programs. The school lunch program presented a relatively large target among domestic programs.

In 1980 Congress passed a comprehensive law (the Omnibus Reconciliation Act, P.L. 96–499) that cut back outlays for child nutrition by approximately $400 million in FY 1981. As the largest of the child nutrition programs, the school lunch program absorbed most of these cutbacks. The changes made to reduce school lunch program spending affected all segments of the program. Reductions in reimbursement rates and delays in their inflation adjustment affected all lunches, those provided free and at reduced price as well as those served to students paying the full price. Congress provided an offset to partially compensate schools serving large numbers of free and reduced-price lunches. However, it rejected Administration recommendations that all of the program savings come from reductions in Federal subsidies for paying for children's meals. Some narrowing of income eligibility for free and reduced-price lunches also was included in the 1980 law, as was funding for grants to States for training of school food workers and nutrition education for students.

Many of the changes enacted in the 1980 law were scheduled to affect only FY 1981 spending. However, in 1981 a new administration's budget and pressure for significantly greater reductions in domestic program spending eliminated the likelihood of returning to the pre-1981 funding status in FY 1982.

Responding to pressures for reductions in domestic spending, Congress enacted another comprehensive budget measure in 1981: the Omnibus Budget Reconciliation Act of 1981 (OBRA) (P.L. 97-35). Beginning in FY 1982, this law reduced overall domestic spending by some $35 billion annually and child nutrition programs by $1.5 billion. For the school lunch program, this law made changes that reduced funding by approximately $1 billion below the level that would otherwise have existed in FY 1982.

The new Administration's budget called for the elimination of all cash and commodity support for lunches served to children not in low-income families and for further narrowing of income eligibility for free and reduced-price lunches. In effect, the Administration wanted to make the school lunch program a low-income program and eliminate its broad-based nutrition support for all school children. Congress refused to eliminate Federal assistance for lunches served to nonpoor children. The level of cutbacks demanded for child nutrition programs by the congressional budget law, however, resulted in substantial reductions in Federal support for lunches served to nonpoor children. Lesser reductions were made in Federal support for free and reduced-price lunches. Additionally, the level of commodity support for all lunches was reduced. Administration proposals for cutting back on eligibility for free and reduced-price lunches also were enacted. Nonfood programs also were cut back by the termination of Federal assistance for the food equipment assistance program and reductions in funding for the nutrition education and training program.

The proportionately sharper reductions in funding for lunches served to nonpoor children than for lower-income children, and the elimination of program participation by private schools with high tuitions indicated some sentiment for greater emphasis on the income support features of the school lunch program. However, Congress could easily have accomplished the OBRA funding reductions by eliminating all Federal support for meals served to nonpoor children. That it chose instead to make a variety of other program revisions to avoid this suggested continued congressional resistance to the idea that at least some Federal support for the school lunch program should not be available for all school children, regardless of their family income.

This resistance was based largely on two beliefs: (1) The nutritional benefits of the program should be available to all school children, and (2) the elimination of Federal subsidies for paid meals would lessen the financial viability of the program for all children, since fewer paying children would participate. Hence, schools would lose the revenues from children's meal payments and would face higher per unit meal costs because of the loss of the economies of scale associated with broad program participation. Congress maintained these positions in refusing to consider subsequent Administration budgets that proposed the elimination of the nonincome tested portion of the school lunch program in each of FY 1983–1987.

Further congressional resistance to budgetary cutbacks in the school lunch program was shown by a provision in the Balanced Budget and Emergency Deficit Control Act of 1985. This Act exempted the school lunch and other child nutrition programs from the programs that were to have funding automatically reduced (or sequestered) if its deficit reduction goals were not met.

After several years of trying to restore some of the cutbacks in child nutrition program funding enacted in 1980 and 1981, Congress finally passed the School Lunch and Child Nutrition Amendments of 1986 (P.L. 99–591 and P.L. 99–661). Enacted separately as amendments to the National Defense Reauthorization Act and to the FY 1987 continuing appropriations law, the 1986 amendments restored eligibility for school lunch program participation to all private schools and permitted schools with lunch programs to operate milk programs for children in kindergarten who do not have access to lunch programs because they are in split session programs.

The 1986 amendments and the subsequently enacted Commodity Distribution Reform Act and WIC amendments of 1987 did not dramatically alter the nature of the changes or the degree of cutbacks made to the school lunch program in 1980 and 1981. However, together with the protections afforded by the 1985 balanced budget law, they signalled that Congress found further budgetary reductions in the school lunch program unacceptable.

The 1989 reauthorization law approved by Congress made a variety of changes to the school lunch program that were intended to simplify programs operations.[50] Continuing budget constraints and the massive Federal debt limited the amount of new money that could be provided for child nutrition programs. By and large, what little new funding was available was focused on those programs that targeted most of their benefits on the poor (e.g. school breakfast, summer food service, and WIC). However, the Congress made a number of changes to the school lunch program that were intended to mitigate the administrative burdens placed on school food operators due to more rigorous eligibility standards and procedures mandated by the 1981 budget law. School food officials argued that these were denying eligibility to otherwise eligible children because of mistakes on applications. The new law required that only the social security number of the adult household member applying for a free or reduced price meal for a child be included in the application, instead of the names of all adult household members, as was required under the 1981 law.

The 1989 law also contained provisions testing alternatives to individual meal counting and eligibility for free and reduced price meals, and permitted schools to contact local food stamp or AFDC offices's to document that children were automatically eligible for free lunches. Another provision intended to reduce administrative burdens permitted schools to receive snack payments under the school lunch program for after-school child care, instead of requiring them to apply separately for such payments under the child care food program. For budgetary reasons, this provision was made applicable only to those schools that already qualified for child care food program snack payments for afterschool care.

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[50] Child Nutrition and WIC Reauthorization Act of 1989, P.L. 101–147.

The 1989 reauthorization law also responded to complaints from school food operators about the existing accountability systems used by Federal, State, and local officials to make sure that schools were claiming appropriate meal reimbursements.[51] A new provision was added to require the USDA to develop a uniform accountability system that would be followed by all States in overseeing the school meal programs. Although this provision was intended to reduce administrative burdens on schools, some State and local school food officials felt that the USDA regulations implementing the law (known as the Coordinated Review Effort, or CRE) were more burdensome than the earlier system. Pressure was brought on Congress to intervene with the USDA over these regulations and legislation delaying the issuance of the new regulations was introduced. After lengthy negotiations between the ASFSA, USDA, and the Congress, however, a compromise was reached and legislative action was avoided. Discontent with the compromise review system remains in some quarters.

The 1989 law also made a number of changes to the meal requirements for school food programs. A provision added low-fat milk to the type of milk that had to be offered as part of a school meal.[52] Another provision required the USDA to develop a publication, "Nutrition Guidance for Child Nutrition Programs", which was to be used by school food programs in their meal service programs. A Food Service Management Institute also was authorized by this law, as were new training and technical assistance programs for school food personnel and administrators.

The following section provides information on the origin and development of reimbursement rates and the special assistance (free and reduced-price lunch) program. It also includes tables providing a historical overview of program participation, reimbursement rates, income eligibility standards, and Federal financial support for the school lunch program from implementation through FY 1993.

2. *Reimbursement Rates*

Prior to 1972, Federal assistance for school lunch programs was provided in the form of formula grants to the States. Funds were distributed to States on the basis of their proportion of U.S. student enrollment and later (1962) on the basis of their proportion of U.S. student participation in school lunch programs. There were no guaranteed reimbursements or payments for each lunch served until 1972, when a guaranteed Federal basic reimbursement rate of 6 cents per lunch was established. In 1973 Congress raised this rate to 8 cents per lunch. Effective January 14, 1974 Congress increased the national average rate to not less than 10 cents a lunch, and legislative language was added requiring that the reimbursement rate be automatically indexed to inflation. The law required that rates be readjusted semiannually to reflect changes in the CPI series for food away from home for the most recent 6 month period for which data were available. Reimbursement rates for free and reduced-price lunches had similarly been guaranteed in 1972 (see table 7).

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[51] The 1981 reconciliation law included provisions which increased accountability for school meal programs by requiring schools to document and verify information on applications for free and reduced price meals. Up until this time, schools could ask for verification of income reported on applications only if they had reason to believe that families had misreported their income in order to qualify for free or reduced price lunches. The 1981 law necessitated more rigorous oversight of school meal claims by the USDA in order to make sure that unqualified children were not receiving free or reduced price lunches, and that schools were not claiming the higher meal reimbursements for those children's meals. According to the American School Food Service Association (ASFSA), which represented school food program operators nationwide, the oversight procedures implemented by the USDA resulted in audits and reviews that were duplicative of State and local systems.

[52] The previous law *allowed* schools to offer all types of milk as part of a school lunch, but *required* them to offer whole milk as an option.

For 1972, the free rate was set at 40 cents in addition to the basic rate (i.e., 6 cents) for a total of 46 cents. The reduced-price lunch rate was set at the difference between the free rate and the highest amount a school charged for reduced-price lunches. When the section 4 rate was increased to 8 cents effective in 1973, the total free and reduced-price rates reflected the additional 2 cents provided for basic assistance. Effective January 1974, when the 10 cents section 4 rate was established, the rates were set at not less than 45 cents additional for free lunches and 10 cents less than this free rate for reduced-price lunches. The rates were also subsequently to be readjusted semiannually to reflect changes in the CPI series for food away from home. The reduced-price rate was again changed in 1978 when it was set at 20 cents less than the free lunch rate, with the exception that the reimbursement could be as much as 10 cents higher if a State set a statewide reduced-price lunch charge that was less than the national maximum allowable charge of 20 cents.

Legislation enacted in 1980 lowered the general assistance (or basic) reimbursement for all lunches by 2.5 cents (except in school districts serving more than 60 percent of their lunches free or at reduced-price). This change was enacted under the provisions of the Omnibus Reconciliation Act of 1980 (P.L. 96–499). Other provisions in this Act also eliminated the January 1, 1981, inflation adjustment and eliminated the extra (i.e., up to 10 cents) reimbursement allowed for reduced-price lunches served in States that charged less than 20 cents for such meals.

The following year, under the provisions of OBRA (P.L. 97–35), further and more dramatic reductions were made in school lunch reimbursement rates. These primarily affected the paid and reduced-price rates which were lowered by approximately 40 percent and 25 percent, respectively. In addition, the maximum charge allowed for a reduced-price lunch was raised from 20 to 40 cents per lunch, to account for the commensurate reduction in the reduced-price subsidy rates.

Tables 7 and 8 on the following pages provide information on the growth in reimbursement rates since their implementation in 1972, and the growth of Federal cash assistance for both the basic (section 4) and special assistance (section 11) portions of the school lunch program over the course of the program's history.

TABLE 7.—SCHOOL LUNCH CASH REIMBURSEMENT RATES, CALENDAR YEARS 1972–1993 [1, 2]

	1972	
Paid	6 cents	
Reduced-price	+40 cents (46 cents) less the highest charge for meals	
Free	+40 cents (46 cents)	
	1973	
Paid	8 cents	
Reduced-price	+40 cents (48 cents) less the highest charge for meals	
Free	+40 cents (48 cents)	
	1974	
	January–June	July–December
Paid	10 cents	11 cents
Reduced-price	+35 (45) cents	+39.5 (50.5) cents
Free	+45 (55) cents	+49.5 (60.5) cents
	1975	
	January–June	July–December
Paid	11.75 cents	12.25 cents
Reduced-price	+42.5 (54.25) cents	+44.5 (56.75) cents
Free	+52.5 (64.25) cents	+54.5 (66.75) cents
	1976	
	January–June	July–December
Paid	12.5 cents	13.0 cents
Reduced-price	+46.75 (59.25) cents	+48.5 (61.5) cents
Free	+56.75 (69.25) cents	+58.5 (71.5) cents
	1977	
	January–June	July–December
Paid	13.25 cents	14.0 cents
Reduced-price	+50.0 (63.25) cents	+53.0 (67.0) cents
Free	+60.0 (73.25) cents	+63.0 (77.0) cents
	1978	
	January–June	July–December
Paid	14.5 cents	15.25 cents
Reduced-price	+55.0 (69.5) cents	+58.25 (73.5) cents
Free	+65.0 (79.5) cents	+68.25 (83.5) cents
	1979	
	January–June	July–December
Paid	15.75 cents	17.0 cents
Reduced-price [3]	+51.50 (67.25) cents	+56.25 (73.25) cents
Free	+71.50 (87.25) cents	+76.25 (93.25) cents
	1980	
	January–June	July–December
Paid	17.75 cents	18.50 cents
Reduced-price	+59.50 (77.25) cents	+63.50 (82.0) cents
Free	+79.50 (97.25) cents	+83.50 (102.0) cents
	1981 [4]	
	January–June	July–September
Paid	16.0 cents	17.75 cents
Reduced-price	+63.5 (79.5) cents	+71.50 (89.25) cents
Free	+83.5 (99.5) cents	+91.50 (109.25) cents
	September 1981–June 1982 [5]	July 1982–June 1983
Paid	10.5 cents	11.0 cents
Reduced-price	+58.75 (69.5) cents	+64.0 (75.0) cents
Free	+98.75 (109.5) cents	+104.0 (115.0) cents
	July 1983–June 1984 [6]	July 1984–June 1985
Paid	11.5 cents	12.0 cents
Reduced-price	+68.75 (80.25) cents	+73.5 (85.5) cents
Free	+108.75 (120.25) cents	+113.5 (125.5) cents

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TABLE 7.—SCHOOL LUNCH CASH REIMBURSEMENT RATES, CALENDAR YEARS 1972–1993[1, 2]—Continued

	July 1985–June 1986	July 1986–June 1987
Paid	12.5 cents	13.0 cents
Reduced-price	+79.25 (90.25) cents	+82.5 (95.5) cents
Free	+117.75 (130.25) cents	+122.5 (135.5) cents
	July 1987–June 1988	July 1988–June 1989
Paid	13.5 cents	14.0 cents
Reduced-price	+87.0 (100.5) cents	+92.25 (106.25) cents
Free	+127.0 (140.5) cents	+132.25 (146.25) cents
	July 1989–June 1990	July 1990–June 1991
Paid	14.75	15.5
Reduced-price	+98.5 (113.25)	+104.75 (120.75)
Free	+138.5 (153.5)	+144.75 (160.75)
	July 1991–June 1992	July 1992–June 1993
Paid	16.0	16.25
Reduced-price	+110.25 (126.25)	+112.25 (129.5)
Free	+150.25 (166.25)	+152.25 (169.5)
	July 1993–June 1994	
Paid	16.5	
Reduced Price	+116.0 (132.5)	
Free	+156.0 (172.5)	

[1] Higher rates are provided for Alaska and Hawaii.

[2] Reimbursement rates permanently set and indexed semiannually for increases in the CPI. January 1, 1981, inflation adjustment was eliminated under the provisions of the Omnibus Reconciliation Act of 1980 (P.L. 96-499).

[3] Beginning in 1979, the reduced-price rate was lowered to 20 cents less than the free rate unless a State set a standard meal charge of less than 20 cents for each such lunch. In that case, the reduced-price rate was to be the lower of either 10 cents less than the free rate or the difference between the free rate and the meal charge. This exception was eliminated under the provisions of the Omnibus Reconciliation Act of 1980 (P.L. 96-499). At that time all but five States and the Trust Territories were receiving the higher reduced-price payment.

[4] Effective January 1, 1980, and through September 1981, the basic rate for all meals was reduced by 2.5 cents in all school districts where less than 60 percent of the lunches were served free or at reduced price. This reduction was affected under the provisions of the Omnibus Reconciliation Act of 1980 (P.L. 96-499) and was operative only through September 1981 when the law was changed again. The January 1, 1981, inflation adjustment was eliminated by this law.

[5] Reflects changes enacted under the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). Two cents additional allowed for school districts where 60 percent or more of meals are served free and at reduced price.

[6] Rate totals are 2 cents higher in school districts where 60 percent or more of the lunches are served free and at reduced price. Rates apply for one full school year from July to June.

Source: Federal Register, Notice of payment rates for each of years 1972-1993.

TABLE 8.—FEDERAL CASH ASSISTANCE FOR THE NATIONAL SCHOOL LUNCH PROGRAM[1]

[In thousands of dollars]

Fiscal year	Basic (section 4)[2]	Special assistance (section 11)	Total[3]
1947	$59,853		$59,853
1948	53,948		53,948
1949	58,752		58,752
1950	64,521		64,521
1951	68,156		68,156
1952	66,294		66,294
1953	67,071		67,071
1954	67,177		67,177
1955	68,935		68,935
1956	66,826		66,826
1957	83,775		83,775
1958	83,708		83,708
1959	93,794		93,794
1960	93,647		93,647
1961	93,628		93,628
1962	98,680		98,680
1963[4]	108,537		108,537
1964	120,793		120,793
1965	130,413		130,413
1966	139,016	$1,866	140,822
1967	147,657	1,958	149,615
1968	154,732	4,878	159,610
1969	161,151	42,021	203,172
1970	167,995	132,012	300,007

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TABLE 8.—FEDERAL CASH ASSISTANCE FOR THE NATIONAL SCHOOL LUNCH PROGRAM [1]—Continued

[In thousands of dollars]

Fiscal year	Basic (section 4) [2]	Special assistance (section 11)	Total [3]
1971	225,667	306,155	531,882
1972	248,418	491,357	739,775
1973	324,102	555,307	879,409
1974	407,923	681,540	1,089,463
1975	466,856	818,373	1,285,229
1976	511,300	998,350	1,509,650
TQ [5]	125,786	192,642	218,428
1977	561,674	1,105,251	1,666,925
1978	618,200	1,205,793	1,823,993
1979	677,511	1,324,489	2,002,000
1980	724,371	1,379,465	2,103,836
1981	763,675	1,608,800	2,372,475
1982	425,000	1,620,300	2,045,300
1983	439,200	1,914,652	2,353,852
1984	474,400	2,081,900	2,556,300
1985	532,085	2,123,946	2,656,031
1986	524,195	2,191,468	2,715,663
1987	541,500	2,255,700	2,797,100
1988	574,900	2,342,500	2,917,400
1989	592,100	2,412,800	3,004,900
1990	622,000	2,588,900	3,210,800
1991	658,700	2,866,800	3,525,500
1992	686,700	3,169,100	3,855,800

[1] Does not include commodities or cash payments in lieu of commodities. Figures reflect budget authority for fiscal years 1947-1986 and program levels for FY1987 through FY1992.

[2] Includes Federal revenues provided under all of section 4. This includes the basic assistance provided for lunches served free or at reduced price which also receive special assistance subsidies shown under column 2.

[3] Constant dollars for school lunch funding over the course of the program history are shown in table 5 of this report.

[4] Although funding for the special assistance program was authorized beginning in FY 1963, the program was not funded until FY 1966.

[5] Transition quarter—period from July 1 through September 30, 1976, just prior to the official change in the fiscal year from July 1 through June 30 to October 1 through September 30.

Source: U.S. Department of Agriculture.

3. Free and Reduced-Price Lunches

In 1962 the law was amended (P.L. 87–823) to create a new section 11 (special assistance) of the National School Lunch Act. This new section authorized additional funds to States to promote school lunch program operations in schools located in low-income areas. Funds were to be provided to those school programs where large numbers of children were unable to pay the cost of lunches. Such funds were appropriated for the first time in FY 1966.

In 1970 the law was changed (P.L. 91–248) to allow any school serving free or reduced-price meals to needy children to receive special assistance funds. In addition, Congress directed the Secretary to establish uniform guidelines for determining eligibility for such free and reduced-price meals. The Secretary set these guidelines at 100 percent of the Federal poverty income level beginning in January of 1971.

In 1972 Congress gave States the option to establish eligibility for free lunches at 25 percent above the Secretary's guidelines (P.L. 92–433), and in 1978 Congress made this level mandatory and required that income eligibility criteria be adjusted each July 1 using the Federal poverty guidelines but updated through March for inflation (P.L. 95–627). In 1981, Congress eliminated the March inflation update procedure and, to compensate, raised the free lunch income standard to 130 percent of the new poverty guideline.[53]

The 1972 amendments had also set an optional level for reduced-price lunches at 50 percent above the Secretary's guidelines. This was raised to an allowable level of 75 percent above the guidelines in 1973 (P.L. 93–150) and was made mandatory at 95 percent above them in 1975 (P.L. 93–326). The 1975 law also required that reduced-price lunches be offered in all schools participating in the program. In 1981, the reduced-price maximum eligibility level was lowered to 185 percent of the Federal poverty income guideline. Table 9 shows the growth in the poverty guidelines and income eligibility levels for free and reduced-price lunches since 1971, when uniform eligibility guidelines were first implemented. Table 10 provides information on the average monthly number of children participating in the school lunch program for selected years from 1947 to 1992 by children receiving free and reduced-price lunches and children receiving "paid" lunches. It shows that the share of free and reduced-price participants in the program rose from one-fourth in 1970 to more than one-half in 1983–1984 and since has fallen slightly.

TABLE 9.—POVERTY GUIDELINES AND INCOME ELIGIBILITY FOR FREE AND REDUCED-PRICE LUNCHES, 1971–1993

[Annual income for a family of four]

	Maximum income eligibility		
	Poverty guideline	Free lunch	Reduced price lunch
January–June 1971	$3,720	$3,720 (100%)[1]	$3,720 (100%)
July 1971–June 1972	$3,940	$3,940 (100%)[1]	$3,940 (100%)
July 1972–June 1973	$4,110	$4,110 (100%)[1] State option 125% = $5,140	$4,110 (100%)[2] State option 150% = $6,160
July 1973–June 1974	$4,250 State option	$4,250 (100%) State option 125% = $5,310	$4,250 (100%)[3] State option 175% = $7,440
July 1974–June 1975	$4,510	$4,510 (100%) State option 125% = $5,640	$4,510 (100%)[3] State option 175% = $7,900
July 1975–June 1976	$5,010	$5,010 (100%) State option 125% = $6,260	$9,770 (195%)[4] begin Dec. 1975
July 1976–June 1977	$5,700	$5,700 (100%) State option 125% = $7,130	$11,110 (195%)
July 1977–June 1978	$6,090	$6,090 (100%) State option 125% = $7,610	$11,880 (195%)
July 1978–June 1979	$6,490	$6,490 (100%) State option 125% = $8,110	$12,660 (195%)
July 1979–June 1980	$7,150	$8,940 (125%)[5]	$13,940 (195%)
July 1980–December 1980	$8,200	$10,250 (125%)	$15,990 (195%)
January 1981–Aug. 1981[6]	$7,450	$10,270 (125%)	$15,490 (195%)

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[53] Prior to 1981, the law required special USDA poverty guidelines to be used in establishing the eligibility criteria for free and reduced-price lunch participation. These guidelines were the same as the Federal poverty income guidelines, except that they were updated by an additional 3 months (through March) each year. This March update was eliminated in the reconciliation law, and to offset the impact of this change, the free lunch eligibility cut-off level was raised from 125 percent of the USDA poverty guideline to 130 percent of the Federal poverty income guideline.

TABLE 9.—POVERTY GUIDELINES AND INCOME ELIGIBILITY FOR FREE AND REDUCED-PRICE LUNCHES, 1971–1993—Continued

[Annual income for a family of four]

	Maximum income eligibility		
	Poverty guideline	Free lunch	Reduced price lunch
September 1981–June 1982 [7]	$8,450	$10,990 (130%)	$15,630 (185%)
July 1982–June 1983	$9,300	$12,090	$17,210
July 1983–June 1984	$9,900	$12,870	$18,315
July 1984–June 1985	$10,250	$13,260	$18,870
July 1985–June 1986	$10,650	$13,845	$19,703
July 1986–June 1987	$11,000	$14,300	$20,350
July 1987–June 1988	$11,200	$14,560	$20,720
July 1988–June 1989	$11,650	$15,145	$21,553
July 1989–June 1990	$12,100	$15,730	$22,385
July 1990–June 1991	$12,700	$16,510	$23,495
July 1991–June 1992	$13,400	$17,420	$24,790
July 1992–June 1993	$13,950	$18,135	$25,808
June 1993–July 1994	$14,350	$18,665	$26,548

[1] Priority for free meals determined on the basis of neediest children at discretion of the State.

[2] Beginning in November, all children in families with incomes below the poverty guidelines were declared eligible for free and reduced-price meals. States could offer free meals to children from families with incomes up to 125 percent of guidelines, and reduced-price meals to children from families with incomes up to 150 percent of guidelines.

[3] States could offer reduced-price meals to children from families with incomes below 175 percent of guidelines.

[4] Beginning December 1975, States required to offer reduced-price meals to children from families with incomes between 100 percent and 195 percent of guidelines, or 125 percent and 195 percent of guidelines if State chose to provide free meals to children from families with incomes up to 125 percent of guidelines.

[5] States required to set 125 percent of poverty guidelines as eligibility level for free lunches.

[6] Temporary change enacted under the Omnibus Reconciliation Act of 1980 (P.L. 96-499). Provided for lower poverty guideline but allowed $960 annual standard deduction, which is included in the maximum income eligibility shown.

[7] Change enacted under the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35). Permanently lowered poverty guideline, eliminated standard deduction and changed free eligibility to 130 percent, and reduced-price eligibility to 185 percent of poverty guideline. To date, percentages have remained the same.

Source: Federal Register for appropriate years.

TABLE 10.—CHILDREN PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM, SELECTED YEARS 1947–1992 [1]

[In millions]

Fiscal year	Total [2]	Paid lunch participants (section 4)	Free and reduced price participants (section 11)
1947	6.6	NA	NA
1950	8.6	NA	NA
1955	12.0	NA	NA
1960	14.1	NA	NA
1965	18.7	NA	NA
1970	22.6	17.0	5.6
1971	24.1	17.9	6.2
1972	24.4	16.6	7.8
1973	24.7	16.1	8.6
1974	24.6	15.5	9.1
1975	24.9	14.9	10.0
1976	25.5	14.7	10.8
1977	26.3	14.5	11.8
1978	26.7	14.9	11.8
1979	27.1	15.4	11.7
1980	26.6	14.7	11.9
1981	25.8	13.3	12.5
1982	22.9	11.5	11.4
1983	23.0	11.2	11.8
1984	23.4	11.5	11.8
1985	23.6	12.1	11.5
1986	23.7	12.1	11.6
1987	23.9	12.4	11.6

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TABLE 10.—CHILDREN PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM, SELECTED YEARS 1947–1992[1]—Continued

[In millions]

Fiscal year	Total[2]	Paid lunch participants (section 4)	Free and reduced price participants (section 11)
1988	24.2	12.8	11.3
1989	24.2	12.8	11.4
1990	24.1	12.6	11.6
1991	24.2	12.2	12.1
1992	24.6	11.7	13.0

[1] Nine-month average monthly participation.

[2] Totals may not add due to rounding.

Source: U.S. Department of Agriculture, Annual Statistical Review, Food and Nutrition Programs, FY 1981, and Food Program Updates.

C. PROGRAM CHARACTERISTICS AND EVALUATIONS

1. The School Nutrition Dietary Assessment Study

In October, 1993, the USDA issued a study conducted for it by Mathmatica Policy Research, Inc. which examined participation in the school lunch and breakfast programs, the nutrient content and foods provided in school meals and the average dietary intake of children in schools participating in programs. Data for the study was collected from a nationally representative sample of schools (545 schools) and students in those schools (3,350 students) during February and May, 1992.

Based on the findings, a comparison was made of the nutrients in foods in school meals to: (1) the existing meal requirements (one-third of the Recommended Dietary Allowances for key nutrients); (2) the USDA Dietary Guidelines for Americans for fat and saturated fat; and (3) the National Research Council Diet and Health Recommendations for sodium, cholesterol and carbohydrates.

The study found that the school lunch program was available to 92% of all children, and that overall, 56 percent of those to whom the program was available participated in it. Of the children in schools with a lunch program that did not participate: 18% brought lunch from home; 11% bought a non-reimbursable, or a la carte lunch at school; 4% ate lunch at home; and 7% ate no lunch.

The rate of participation in the program varied according to: children's ages (participation declined with age); whether children received free or reduced price lunches (more likely to participate than those paying the full-price); were male or female (more boys than girls participated); and whether schools were located in rural or urban areas (rural school participation was higher).

According to the study findings, 79% of children determined eligible for free lunches participated in the program; 71% of those eligible for reduced price lunches participated; and 45% of those who were not eligible for free or reduced price lunches participated in the paid, or so-called full price program. Participation among children aged 6–10 was highest (66%) among the different age groups; 55% of those aged 11–14 participated; and the lowest participation was among children aged 15–18 (40%). Fifty-nine percent of boys participated in the program compared to 52% of girls.

The study found that virtually all schools offered lunches that exceeded the one-third RDA requirements for key nutrients, although there was some variation by sex and age in the consumption of these nutrients.[54] For example, girls aged 11–18 fell short of the one-third of the iron requirement, boys aged 11–18 fell short of the zinc requirement; and boys aged 15–18 fell short of the calories and vitamin B6 requirement.

The study also found that national school lunches do not meet the Dietary Guideline goals for fat and unsaturated fat. These guidelines recommend that no more than 30% of calories consumed by Americans come from fat, and that no more than 10% of calories come from saturated fat. According to the study, the average levels of fat in school lunches provided 38% of the calories from fat, and 15% of the calories from saturated fat. According to the study only 1% of schools offered lunches that provided 30% of calories from fat, and only one school offered weekly lunch menus that met the 10% recommendation for saturated fats. In 44% of the schools, however, the study found that at least one lunch offered provided components that meet the 30% of calories from fat recommendation. These lunches provided less calories than average lunches, and less than the one-third RDA requirement for school lunches. According to the study, there was no significant difference in school lunch participation between schools that offered meals with moderate levels of fat (32–35% of calories from fat) and those offering lunches with higher levels (i.e., above 35%). However, participation rates were noticeably lower (6%) in schools offering meals that contained 32% or less of their calories from fat than those in the moderate fat range.[55]

Measured against the National Research Council (NRC) targets for cholesterol (not more than 100 milligrams), sodium (not more than 800 milligrams), and carbohydrates (at least 55% of calories from carbohydrates), the study found that school lunches met the cholesterol content recommendation (88 milligrams), fell somewhat short of the target for carbohydrates (47%), and greatly exceeded the target for sodium (1,479 milligrams).

The dietary assessment also examined the overall dietary intake of students over a 24 hour period. It found that calories of most students exceeded 111% of the RDA's and that this varied little by family income. The study also found that female students were below the RDA for minerals and calcium. The 24 hour recall also showed dietary intake of 34% of calories from fat (vs. 30% maximum), 13% of calories from saturated fat (vs. 10% maximum), 4300 milligrams of sodium (vs. 2400 maximum) and 53% of calories from carbohydrates (vs. 55% minimum).

The study also compared the nutrient value of school lunches to lunches not consumed through the program. It found that students consuming school lunches consumed slightly higher levels of fat (38% of calories from fat) than those who ate other lunches (37%). It also found that school lunches compared slightly unfavorably in carbohydrate content (47% of calories) to non-school lunches (48%), although both fell short of the 55% of calories recommended by the NRC. Similarly, neither school lunches nor non-school lunches met the NRC recommendations for sodium (800 milligrams); although in this case, school lunch sodium was slightly lower (1479 milligrams) than that contained in other lunches (1501 milligrams).

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[54] Key nutrients are: calories, protein, vitamin A, Vitamin C, Vitamin B6, Calcium, Iron, and Zinc.

[55] This study summary does not specify the comparison in participation between high fat content lunches (i.e., above 35%) and low fat (below 32%) lunches.

Overall, the study found that school lunch participants had higher intakes of vitamin A, calcium,and zinc than nonparticipants, but lower intakes of vitamin C. However, lunch program participants consumed higher proportions of their calories from fat and unsaturated fat, and lower proportions of their calories from carbohydrates than did nonparticipants. School lunch participants also were twice as likely to consume milk as nonparticipants and consumed more fruits, vegetables, meat, poultry and fish than nonparticipants. This would help explain why program participants have higher levels of zinc and vitamin A than non-participants, but also why their fat and saturated fat levels are higher.

2. *Child Nutrition Program Operations Study (1991, 1992 reports)*

The Child Nutrition Program operations study is a multi-year study of school nutrition program operations conducted under contract with the USDA by the Abt Associates to gather information about programs in order to address various policy issues. The study was designed to collect data from States and participating school food authorities through annual telephone surveys in the school years 1988–89, 1989–90, and site visits in 1990–1991. The survey is intended to examine specific issues raised by the USDA to help formulate policy. Thus far the first and second reports of the study have been released. These responded to questions raised about the proportions of schools and children participating in the school lunch and breakfast programs, information on average meal prices and meal costs, and food donation program issues (e.g. "buy America" purchasing, child nutrition labeling, technical assistance, inventory management, and satisfaction with State commodity agencies); the nutrient content of meals, factors affecting school breakfast participation by institutions, school meal counting systems. food service management companies, food service program characteristics, and training and technical assistance for school food authorities.

a. Second year report (1992)

The second year report of the Child Nutrition Operations study examined lunch participation rates, meal charges and costs, food donation program activities, and food and nutrient content. This report found that 98% of school lunches were served in public schools; 40% of these lunches were served free, 7% at reduced price, and 53% paid. Most free lunches were served in public schools, schools with high proportions of children eligible for free and reduced price lunches, and schools operating both lunch and breakfast programs. Among the children approved for lunches, 88% participated in the free program and 71% participated in the reduced price program, and 46% in the paid lunch program. According to the study findings, the highest participation rates were in schools with both lunch and breakfast programs, schools under small school food authority administration, and schools with large proportions of free and reduced price lunch participants. Participation rates also were found to be greater in elementary than in middle or secondary schools.

On average, meal charges for lunches in the 1989–90 school years were 95 cents for paid lunches in elementary schools and $1.06 in secondary schools. Reduced price lunch charges were fairly consistent at all levels, averaging 38 cents. Meal costs generally were highest in larger school food authorities. Nationwide, the average cost of producing a lunch was $1.67; when analyzed by school food authority the average was $1.46. According to the study, food costs represented 48% of the total meal cost; labor represented 40%, and 12% was due to the costs of supplies, contract services, capital expenditures, storage and transportation, and indirect charges by school districts. Federal reimbursements for free lunches ($1.66 in the 1988–89 school year) were close to the average national cost ($1.67) of producing a lunch.

The study's examination of the food donation program found that nearly half of the school food authorities did not know about the "Buy America" requirements in the Commodity Distribution Reform Act of 1987. The study also found that nearly one-fourth of all schools surveyed had a six-month supply of at least one commodity; and that two-thirds of the excess inventories contained flour, peanut butter, butter, dates/raisin/figs, honey, oil, and nuts. Forty-five percent of the schools received, on a regular basis, end-products containing commodities that listed the value of USDA commodities in them; 25 percent never received this information. Some 78% of school food authority managers reported that they had excellent, or very good communications with the State agencies distributing commodities to them, and 71% rated these agencies' performance as excellent or very good.

The study also examined participation in the child nutrition labeling program. Under this program manufacturers may be approved to make claims about the contribution that their product makes to the school meal pattern requirements. One-third of the school food managers were unfamiliar with the labeling program; and two-thirds of those who knew about the program required it for their program. The most commonly labeled items were meat, poultry and seafood products. Some school food managers (35%) expressed concern about labeled products being more expensive, not readily available, and potentially misleading in terms of overall food and nutritional quality.

The child nutrition operations study also surveyed schools on the nutritional content of meals and foods offered. Overall it found that the nutrient content of meals was greater in middle and secondary schools than in elementary schools. Meals served to those aged 4–10 years old were found to contain one-third of the Recommended Dietary Allowance (RDA), which is the required level for school lunches, for all nutrients. Those served to 11–14 year-olds were found to meet the one-third RDA for all nutrients except calories and vitamin B6 for males, and iron for females. In middle and elementary schools, meals provided slightly less calories than were needed by males, and slightly more calories than were needed by females.

This study also compared school lunches against the Dietary guidelines for fat and saturated fat, and against the national Research Council's recommendations for sodium. The study findings matched those of the previously summarized School Nutrition Dietary Assessment Study. The mean proportion of calories from fat in school lunches was 38%, compared to the 30% recommended by the Dietary Guideline. Similarly, school lunches provided 15% of calories from saturated fat, instead of the recommended 10%.

Finally, the child nutrition operations study examined the effect that not selecting a meal component or not consuming a component (so-called plate waste) had on the nutritional content of meals. It found that overall, the nutrient density of meals selected was comparable to that of meals offered. An exception to this was in the iron density of meals selected by females. The study identified this as an appreciable problem which suggests that females rejected items containing iron-rich foods.

According to the second year report findings, all children wasted some food. This did not affect the nutrient value of meals consumed in middle and high schools, however, it did affect the nutrient content of meals consumed by children in elementary schools. The study found that elementary school children tended to consume less of the food they selected than older kids and that this lowered the nutrient content of their meals significantly. This did not lower the fat contents of elementary school children's lunches, although it did bring the sodium levels closer to the NRC recommended level. Finally, the study found that the majority of children accepted all of the meal components. Overall, 75% of elementary school students and 90% of middle and secondary school students accepted all of the items offered.

b. First year report (1991)

Like the second year report, the first year report of the child nutrition program operations study examined school lunch and breakfast participation rates, meal prices and meal costs. Its findings in these areas were not markedly different from those in the second year report. In response to specific study requests by the USDA the first year study also examined food donations programs, school breakfast participation by institutions, school meal counting systems, food service management companies, training and technical assistance, and food service program characteristics.

The forty-four States that completed the survey were involved in processing USDA commodities into various end-products. The most frequently processed products were cheese, flour, oil, chicken and turkey. Eighty-four percent of the States used fee-for service systems, 76 percent used rebate systems, and 66 percent used value pass-through systems. Half of the States responding processed commodities at the State level, another one-third had both State and local processing and the other one-third left processing to the local school food authority, or did not process at all.

According to the first year report ninety percent of school food authorities received donated commodities under the USDA food donation program. Eighty-four percent of these school food authorities identified their commodity preferences either by directly ordering from the States through state surveys, or special meetings or committees. The remaining 16 percent reported that they did not communicate their preferences to the State commodity agencies.

Most school food authorities reported that commodities were delivered in acceptable condition. Only 17% reported receiving some off-condition commodities. The most commonly cited problems among those reporting them were with dairy products, fruit, and poultry. Thirty percent of the schools reporting that they received commodities in more usable form through processing indicated that they initiated at least one processing agreement themselves; 68 percent reported that they purchased end-products under State or national processing agreements.

Reports by the USDA Inspector General of continuing problems with school lunch meal accountability and claiming procedures prompted the FNS to ask for an examination of school meal counting systems. The study found that over two-thirds of the school food authorities required schools to use a mechanism for counting meals served by number and by reimbursement category. Over half of the schools uses coded tickets to indicate a child's eligibility status and forty-six percent gave lists to cashiers that identified the eligible children by name. According to the study findings, most school food authorities (85%) monitored schools for meal counting accuracy; nearly all of these compared meal counts against approved free and reduced price meal applications for each reimbursable category. About 72 percent compared meal counts to attendance records.

Because of the rising use of food service management companies to run school food programs, the study examined the use of these companies. It reported that 7 percent of the school food authorities (1,011) used a food service management company during the reported year. Most of these companies were given responsibility for the full operation of the programs—including selection of vendors, menu planning and development, price setting, delivery scheduling and food specifications. The most common payment system was a flat administrative fee, although some school food authorities used a per meal rate payment system. School boards almost always made decisions about using a food service management company.

Most school food authorities bid competitively for most or all of their food purchases; some used competitive bids only for large order items, like bread, milk and ice cream. About one-quarter of the food authorities never used competitive bids. Twenty-three percent of school food authorities reported that they bought foods through purchasing cooperatives; the most commonly reported items purchased were canned goods, staples, and frozen foods.

Kitchen facilities varied considerably among school food authorities, according to the study findings. Most schools (55%) used only on-site kitchens; 22% used one or more base kitchens or a central kitchen to prepare meals for satellite or receiving kitchens. Some combination of both systems were used by 23 percent of the school food authorities. Most meals served through the school meal service programs were prepared and served in bulk to children passing through a cafeteria line. Sixty-four percent of the schools reported this type of preparation and service; 11 percent used bulk meal service in combination with some type of prepackaged meal service; 10 percent used pre-packaged exclusively. According to the study, some 28 percent of school food authorities used their food service facilities for other programs, like the elderly food program, day care centers, and summer food service program.

The first year report also looked at alternative food choices in school meal programs. It found that children in middle and secondary schools have considerably more choices of foods (including a la carte options) than those in elementary schools. Vending machines and snack bars also were more prevalent in middle and secondary schools than in elementary schools. Finally, the study found that off-campus meal privileges were not widely available to children in elementary, middle or secondary schools.

3. National Evaluation of School Nutrition Programs (NESNP)

The National Evaluation of School Nutrition Programs (NESNP), conducted under a USDA-supported contract, included among its objectives a determination of school lunch participation factors, and the impact of the program on participating students and their families. The study was begun in October 1979 in response to a congressional demand (S. Res. 90) that the school lunch and other school nutrition programs be examined. A summary of its major findings, *The National Evaluation of School Nutrition Programs, Final Report—Executive Summary,* was published in April 1983.

The summary reported that in the fall of 1980, the program was available in schools serving 98 percent of all children in public school, but that only 60 percent of public school children received school lunches. There were 1,700 public schools, with an enrollment of approximately 1 million children, which did not offer the program. Such schools tended to serve more higher-income families than did schools with lunch programs. Also, schools not participating in the lunch program had substantially higher proportions of white students (93 percent) than schools with school lunch programs (75 percent).

As a general rule, in schools with school lunch programs participation was the highest for students from families with the lowest quartile ($12,250) and per capita income, and for students from large families (i.e., five or more members) and from single-parent families. The participation rate also was substantially higher for black, Hispanic, and other minority students than for white students, although two-thirds of the program participants were white.

An examination of the impact of the lunch program on family food expenditures showed that the school lunch program was very efficient in supplementing family food expenditures. Families in the program did not reduce their food purchases, and the program appeared to increase the amount and quality of food available to families. An analysis of the comparable worth of school lunch program benefits showed that families would have had to increase their cash income by $9 to $10 to achieve the same food value through higher food spending as was provided by $1 through school lunches.

The NESNP summary reported nutritional benefits of the program. It found that students who received lunches through the program had higher intakes of energy and more nutrients (vitamins A and B6, calcium, and magnesium) than students who ate other lunches. Additionally, over a 24-hour period, nutrient intake for school lunch participants was found to be greater than that for nonparticipating children. The differences in intake were accounted for by the higher nutritional value of the school lunch program meals. These higher nutrient intakes were found in all age and population groups examined. The study found that the beneficial nutritional impact of the program was the same for all income groups of children participating. The positive results of the program were found to be comparable among low-, middle-, and upper-income children.

Because other factors such as the child's sex, ethnic background, and parent's height and weight influence them, it is difficult to evaluate the full extent of the school lunch program's impact on growth. The NESNP found no discernible effect from school lunch program participation upon height. However, children in intermediate and secondary schools who participated in the program an average of 5 days a week were found to weigh slightly more than students who participated less frequently. As was the case for nutrient intake, height and weight measures did not vary with income status.

According to the NESNP, the biggest determinant of school lunch program participation was meal price. Holding all other factors constant, students who paid higher prices participated in the program less frequently than students who paid lower, or no price at all, for their lunches. The responsiveness of participation to price was found to vary by the price level; the higher the basis price, the greater the rate of reduction in participation. For example, at a price of 40 cents, a 10 percent (or 4 cent) increase in price was equated with a 5 percent decrease in participation. However, at a price of 60 cents, a 10 percent (or 6 cent) increase reduced participation by 7.5 percent.

4. NESNP II—Characteristics

In the 1983–84 school year, the USDA collected data on students and schools participating in the school lunch program. This was a follow-up to the NESNP and is often referred to as NESNP II.[56] It examined the characteristics of students and their families with access to the school lunch program.

The NESNP II reported that in the 1983–84 school year, the school lunch program was available to 38.8 million children, just under 99 percent of all public school students. Program participation was judged as eating one or more school lunches during the 5-day survey period. Seventy-eight percent of children observed were found to be "participants" by this measure. Two patterns emerged from the participation data: Younger students were more likely to participate than older students, and students who received free lunches participated in the program most frequently, followed by students receiving reduced-price lunches. Participation was lowest for children in the "full"-price (or paid) lunch category. Nearly 88 percent of all children in grades 1–3 participated in the lunch program at least once a week. This rate fell to 61 percent for children in grades 10–12. Over 96 percent of children classified as eligible for free lunches participated in the lunch program at least once a week; reduced-price lunch children showed a 91 percent participation rate. The percentage of full-price children participating in the program at least once a week was 69 percent. The highest participation rate was among children in grades 1–3 who were eligible for free lunches. Conversely, children in grades 10–12 who paid full price for their lunches participated at the lowest rate, 55 percent.

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[56] U.S. Dept. of Agriculture. Food and Nutrition Service. Office of Analysis and Evaluation. Characteristics of the National School Lunch and School Breakfast Program Participants. January 1988.

Eighty-four percent of children eligible for free lunches and 71 percent of children eligible for a reduced-price lunch participated in the program five times a week. Only 4 percent of children eligible for free lunches did not participate at all. Full-price (or paid) lunch children participated either 5 days a week (40 percent) or not at all (31 percent). Across all meal categories, 60 percent of children participated in the lunch program four or five times a week, and 23 percent never participated.

The data collected during the survey period showed that only 83 percent of free meals were served to children from families with incomes below 130 percent of the poverty level (the income cut-off level for free meal eligibility). According to this data, 10 percent of the free meals should have been served at reduced price, and 8 percent should have been served at full price. Among the reasons for the discrepancies, the report suggested misclassification of eligibility and survey timing (some family incomes may have changed after the initial eligibility certification) and the possibility that income or price status was misreported in the survey questionnaire.

The USDA also found that some children were being overcharged, according to family income data. One-third of the children receiving reduced-price lunches were income eligible for free lunches, based on the income reported in the questionnaire. The report said children eligible for free lunches were sometimes classified for reduced-price lunches or were being charged the full price. The former may be explained by mistakes in the application or eligibility determinations; the latter by inappropriate eligibility determinations or refusal to apply.

Fifteen percent of reduced-price lunches were served to children who did not qualify for either free or reduced-price lunches, according to the information reported. Some 22 percent of children receiving full-price lunches reported income that qualified them for free or reduced-price lunches. It was not possible to discern how many of these children had been declared ineligible to receive free or reduced-price lunches, or had simply not applied. However, data collected on children whose family income qualified them for a free or reduced-price lunch, but who did not receive such lunches, showed that among those who were potentially eligible but did not apply for benefits, 70 percent of the parents thought they were ineligible, and 30 percent believed they were eligible but did not want to apply for various reasons (e.g., they did not believe in government "hand-outs," or did not want the schools or others to know that they were poor). A large proportion of free meals were served to children with family incomes well below the income eligibility level of 130 percent of the poverty guideline; 29 percent of the children receiving free meals reported family income below 50 percent of this level. The families of 16 percent of all children receiving school lunches also received food stamps; but nearly 50 percent of the children receiving free lunches were in food stamp households.

Family composition data also were compiled in the NESNP II. It showed that of all school lunches served: 21 percent were served to children from one-parent, female-headed families; 1.4 percent were served to children from one-parent, male-headed families; and almost 78 percent of lunches were served to children from two-parent families. These proportions shift when the family composition is examined by the type of lunch served. For free lunches, just under 42 percent were served to children in families headed by a female, while 1.5 percent were served to children in families headed by a male and just under 57 percent were served to children in two-parent families. Conversely, 10 percent of full-price meals were served to children from one-parent female-headed families; and 88.5 percent were served to children from two-parent families.

II. SCHOOL BREAKFAST PROGRAM

A. PROGRAM SUMMARY AND DESCRIPTION

The school breakfast program is permanently authorized under the Child Nutrition Act of 1966. It provides Federal funds to assist States in providing breakfasts to children in schools and residential child care institutions. The program must operate on a nonprofit basis and must serve breakfasts that meet nutritional criteria set by the Secretary of Agriculture. Federal funding exceeded $800 million in FY 1992 and is expected to approach $900 million in FY 1993. Funds go to States (usually State educational agencies) according to a legislatively mandated reimbursement rate (subsidy rate) for each breakfast served. The rate, which varies according to the family income of the child taking the meal, is adjusted each July 1 to reflect the increase in the CPI series for food away from home. Further, higher reimbursements are available to schools determined to be in "severe need."[57] In March 1993, the program operated in 50,600 schools and residential institutions, compared to 92,900 schools and residential institutions with school lunch programs.

In FY 1993, an average of 5.6 million children are estimated to have participated in the school breakfast program. A large majority of these children (84 percent) received free meals. Eleven percent received "paid" breakfasts, for which there is no income test, and the remaining 5 percent received reduced-price breakfasts. Free breakfasts are available to children from families with incomes at or below 130 percent of the Federal poverty income guidelines and, in the 1993–94 school year, are subsidized at a rate of 96.0 cents (regular program) per breakfast or 1.1425 cents (severe-need schools). Reduced-price breakfasts are available to children from families with incomes between 130 percent and 185 percent of the poverty guideline and for the 1993–94 school year are subsidized at a rate set at 30 cents below the free rate. Reduced-price rates for the 1993–1994 school year are 66.0 cents (regular program) and 84.25 cents (severe-need schools). Paid breakfasts for the 1993–1994 school year are subsidized at a rate of 19 cents per breakfast. There is no "severe-need" rate for paid breakfasts. Commodity assistance is not mandated for the breakfast program, although bonus commodities commonly are made available to it.

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[57] Schools may apply for "severe-nee" reimbursements if they serve 40 percent or more of their lunches free and at reduced price and regular funding is not sufficient to cover program costs.

B. LEGISLATIVE AND PROGRAM HISTORY

1. Early years, 1966–1974

Initially authorized as a 2-year pilot project, the school breakfast program was established in law by the Child Nutrition Act of 1966 (P.L. 89–642) but not given permanent authorization for appropriations until 1975. In its first year the program served 80,000 children at a Federal cost of $573,000. The original legislation provided for grants-in-aid to States. States were required to disburse grant funds to schools according to a rate per meal or other appropriate method prescribed by the Secretary. However, first consideration for program implementation was to be given to schools in poor areas and in areas where children had to travel a great distance to school. Federal funds were to help pay food costs but could not be used for labor costs. In cases where the rates established by the Secretary were insufficient to carry out a program, Congress permitted extra payments, but limited the total subsidy to 80 percent of all operating costs. The 1968 amendments (P.L. 90–302) extended program authority through FY 1971.

Public Law 92–32, enacted in 1971, extended the breakfast program through FY 1973. This law increased the number of schools that could be given priority consideration for the program by including those with a special need to improve the nutrition and dietary practices of children of working mothers and children from low-income families. Additionally, the 1981 law allowed the Secretary of Agriculture to pay 100 percent of the operating costs of a program in cases of severe need and provided that eligibility for free and reduced-price breakfasts was to be based on the same income eligibility guidelines as used in the school lunch program.

In 1972, P.L. 92–433 extended the authorization for the breakfast program through FY 1975. This law authorized the Secretary to make payments directly to schools or residential institutions where educational agencies were prohibited from making such payments (e.g., in private schools). But more importantly, the 1972 Act required the Secretary to establish national average payments to States for each breakfast served. These were to vary depending upon whether the meal was served free, at a reduced price, or at a "regular" paid rate.

The 1973 amendments to the Child Nutrition Act (P.L. 93–150) ended the practice of having the Secretary determine subsidy rates. In this law Congress established minimum Federal reimbursement rates: 8 cents for each paid breakfast, 15 cents for each reduced-price breakfast, and 20 cents for each free breakfast. In cases of schools with severe need, a maximum payment of up to 45 cents was authorized for free breakfasts. The law directed that these rates be adjusted semiannually each July 1 and January 1, according to changes in the CPI series for food away from home.

2. Permanent Program, 1975–1979

In the 1975 amendments to the Child Nutrition Act (P.L. 94–105) the authorization for appropriations for the school breakfast program was made permanent. This legislation included a statement that Congress intended the program to "be made available in all schools where it is needed to provide adequate nutrition for children in attendance." It required the Secretary to report plans for breakfast program expansion and to undertake a program of information to further the intent of Congress.

The 1977 amendments (P.L. 95–166) required each State educational agency to establish eligibility standards for special assistance to schools with severe need. In addition, the maximum reimbursement for free and reduced-price breakfasts in severe-need schools was increased to the higher of (1) 10 cents above the regular reimbursement for free breakfasts or (2) 45 cents plus an inflation adjustment. This law also set the reimbursement rate for reduced-price breakfasts at 5 cents below the rate for free breakfasts.

In the 1978 amendments (P.L. 95–627), Congress set criteria that States were to use in determining which schools qualified for severe-need assistance. Under these standards, severe-need schools included: all schools in States which required breakfast programs statewide; those schools that served at least 40 percent of their school lunches free or at reduced prices; and those in which the normal rate of reimbursement for breakfasts fell short of program costs. The provision requiring severe-need reimbursement in all schools in a State with a so-called breakfast program mandate was added to encourage greater participation in the program.

3. Budget Reductions and Attempted Restorations, 1980–1985

In 1980, comprehensive legislation enacted to reduce overall Federal spending included provisions that lowered income standards used for eligibility for free and reduced-price meals, as well as meal reimbursement rates. Under the Omnibus Reconciliation Act of 1980 (P.L. 96–499) Congress ended the practice of semiannual inflation adjustments of reimbursement rates for all meals served under child nutrition programs, including breakfasts. It substituted a system of annual inflation adjustments, starting July 1, 1981 (and eliminated the scheduled January 1, 1981, adjustment). This law also prohibited commodity assistance, previously offered to school breakfast programs at a per meal rate of 3 cents per meal.

Further, the 1980 reconciliation act changed the income standards for free and reduced-price meals. Under previous law the Federal poverty income guidelines, which reflect price inflation through December of the past year, had been adjusted by the Secretary of Agriculture to reflect price inflation through March. The Secretary issued the annual income eligibility criteria for free and reduced-price meals each July 1 based on these updated guidelines. The new law eliminated the March update procedure and added a standard income deduction to mitigate some of the effect that this change was expected to have on free and reduced-price income eligibility.

The following year more substantial reductions in assistance to child nutrition programs were enacted under another comprehensive budget reduction law, the Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35), often called OBRA. This law significantly lowered reimbursement rates for paid and reduced-price breakfasts beginning on September 1, 1981, and changed income eligibility criteria for free or reduced-price meals served under all child nutrition programs. The reimbursement rate for breakfasts was reduced by 8 cents per paid breakfast, and by 25 cents for most reduced-price breakfasts (see table 12 for historical record of reimbursement rates), and the maximum allowable charge for a reduced-price breakfast was raised from 10 to 30 cents. The income eligibility cut-off level for reduced-price breakfasts (and other income-tested child nutrition programs) was lowered from 195 percent to 185 percent of the poverty guideline. Additionally, eligibility for both free and reduced-price meals was lowered by eliminating the standard income deduction that had been established in the 1980 law. Congress also eliminated the provision of severe-need rate reimbursements for all meals served in schools with a statewide mandate for breakfast programs.

Congress tried several times to restore funding to various child nutrition programs in the years following the OBRA's enactment. Legislation (H.R. 7) providing for restoration of the 1980 and 1981 cutbacks in school breakfast reimbursements was passed by the House in 1984 and by both the House and Senate in 1985. However, the Senate did not consider the 1984 House bill, and in 1985, agreement on the differences between the bills was not reached.

4. Program Restorations and Expansion, 1986–1993

In 1986, the House and Senate reached agreement on the School Lunch and Child Nutrition Amendments. Enacted twice at the end of the 99th Congress as amendments to the Continuing Appropriations law (P.L. 99–591) and to the National Defense Reauthorization Act (P.L. 99–661), these laws added 3 cents in cash to the reimbursement rates for school breakfasts. Congress also restored 3 cents worth of commodity assistance to breakfast programs, provided commodities were available from USDA holdings. Further, it required the Secretary of Agriculture to change the meal pattern requirements so as to improve the nutrients in the breakfast program. Both the reimbursement rate increase and the revision of nutrition requirements were predicated on the findings of a USDA study (National Evaluation of School Nutrition Programs) that showed breakfasts served under the program to be low in nutrient content.

In August of 1988, Congress passed the Hunger Prevention Act of 1988 (P.L. 100–435), which again increased the cash subsidy for meals served under the school breakfast program by an additional 3 cents.

For most of the breakfast program's history only about 30 to 40% of the schools participating in the lunch program also operated breakfast programs. Congressional efforts to expand the program's reach and coverage traditionally focused on increasing meal subsidies, as was true with the 1986 and 1988 legislation. In general, this tended to increase participation in the schools that already operated programs, rather than substantially increase the number of schools participating. In May, 1988, there were 38,700 schools participating in the school breakfast program. While this represented an increase in the number of schools participating (about 3,800 more than in FY 1985), the proportion of breakfast program schools remained at 43% of the 90,600 schools participating in the school lunch program.

In 1989, Congress approved a new "School Breakfast Start-up" program to focus Federal support on those schools without programs. The Child Nutrition and WIC Reauthorization Act of 1989 (P.L. 101–147) required the Secretary of Agriculture to award grants to States, on a competitive basis, to help schools with the costs of initiating new breakfast programs. The law authorized $3 million in FY 1990 and $5 million for each of fiscal years 1991–1995 for this purpose. Among the conditions set for receiving grants was a school's promise to continue operating a program for at least three years after receiving grant funds. Following the initiation of the start-up program the number of participating breakfast program schools shot up. By March of 1993, the number of schools participating in the breakfast program had risen to 54,900, or 16,200 more schools than participated in May, 1988. An estimated 60% of the schools operating lunch programs in FY 1993 also were operating breakfast programs—a marked contrast from the one-third to forty percent of lunch program schools that had participated in the breakfast program for most of its history. Many attribute the dramatic increase in the number of schools participating to the authorization of school breakfast start-up funding, which will expire at the end of FY 1994 unless Congress takes action to extend it.

The following tables provide data on funding and participation for the school breakfast program from 1967 through 1992 and reimbursement rates for each of the years since 1973, when reimbursement rates were implemented.

TABLE 11.—SCHOOL BREAKFAST PROGRAM—FUNDING AND PARTICIPATION

Fiscal year	Average daily participation [1]				Program levels [2] (in thousands)
	Total	Free meals	Reduced price meals	"Paid" meals	
1967	80.000	[3]60.000		20.000	$573
1968	200.000	[3]100.000		100.000	2.000
1969	300.000	[3]200.000		100.000	5.540
1970	600.000	[3]400.000		200.000	10.870
1971	1.000.000	800.000		200.000	20.140
1972	1.100.000	[3]900.000		200.000	24.422
1973	1.300.000	1.100.000	30.000	170.000	37.002
1974	1.500.000	1.200.000	20.000	280.000	58.521
1975	2.000.000	1.600.000	50.000	350.000	83.000
1976	2.300.000	1.900.000	70.000	330.000	116.500
TQ [4]	2.100.000	1.700.000	80.000	320.000	16.963
1977	2.600.000	2.100.000	100.000	400.000	144.076
1978	2.800.000	2.200.000	140.000	460.000	184.269
1979	3.300.000	2.500.000	200.000	500.000	230.200
1980	3.567.000	2.757.000	251.600	[illegible]8.400	288.300
1981	3.810.000	3.050.000	250.000	510.000	339.100
1982	3.320.000	2.800.000	160.000	360.000	319.400
1983	3.360.000	2.870.000	150.000	340.000	345.400
1984	3.430.000	7.910.000	150.000	370.000	365.000
1985	3.440.000	2.880.000	160.000	400.000	407.000
1986	3.500.000	2.930.000	160.000	410.000	405.000
1987	3.610.000	3.010.000	170.000	430.000	468.300
1988	3.680.000	3.030.000	180.000	470.000	473.200
1989	3.810.000	3.110.000	190.000	510.000	513.000
1990	4.070.000	3.300.000	220.000	550.000	591.500
1991	4.440.000	3.610.000	250.000	580.000	693.800

TABLE 11.—SCHOOL BREAKFAST PROGRAM—FUNDING AND PARTICIPATION—Continued

Fiscal year	Average daily participation [1]				Program levels [2] (in thousands)
	Total	Free meals	Reduced price meals	"Paid" meals	
1992	4,920,000	4,050,000	260,000	600,000	801,200

[1] Nine month average. October through May plus September to match fiscal years from 1977 onward (rounded).

[2] Program funding is obligations plus any commodities donated from other accounts. Constant dollars are shown in terms of the FY 1988 value of dollars based on changes in the CPI series for Food Away From Home.

[3] Free and reduced-price participation not reported separately for these years.

[4] Transition quarter—period from July 1, 1976, through September 30, 1976, just prior to the official change in the fiscal year from July 1 through June 30 to October 1 through September 30.

Source: U.S. Department of Agriculture, Food and Nutrition Service budget documents and appropriations hearings for various years.

TABLE 12.—SCHOOL BREAKFAST REIMBURSEMENT RATES, 1973–1993

[In cents per breakfast]

Effective dates	Paid	Reduced-price meals		Free meals	
		Regular program total	Schools with severe need total	Regular program total	Schools with severe need total
1973					
July–December	8.00	23.00	NA	28.00	NA
1974					
January–June	8.50	24.25	40.00	29.50	45.00
July–December	8.75	25.25	40.00	30.75	45.00
1975					
January–June	9.25	26.75	40.00	32.50	45.00
July–December	9.75	28.00	40.00	34.00	45.00
1976					
January–June	10.00	29.00	40.00	35.25	45.00
July–December	10.50	30.00	40.00	36.50	45.00
1977					
January–June	10.75	30.75	40.00	37.50	45.00
July–December	11.25	32.25	40.00	39.25	45.00
1978					
January–June	11.50	33.25	45.25	40.25	50.25
July–December	12.00	34.75	47.25	42.25	52.25
1979					
January–June	12.75	36.50	49.50	44.50	54.50
July–December	13.50	39.00	52.25	47.25	57.25
1980					
January–June	14.00	40.50	54.50	49.25	59.50
July–December	14.75	42.50	57.75	52.00	62.75
1981					
January–June [1]	14.75	42.50	57.75	52.00	62.75
July–August [2]	16.25	46.50	63.50	57.00	68.50
1981–1982 [3]					
September 1981–June 1982	8.25	28.50	38.50	57.00	68.50
1982–1983					
July 1982–June 1983	8.75	30.00	42.25	60.00	72.25
1983–1984					
July 1983–June 1984	9.00	32.75	45.50	62.75	75.50
1984–1985					
July 1984–June 1985	9.50	35.50	48.75	65.50	78.75
1985–1986					
July 1985–June 1986	9.75	38.00	51.75	68.00	81.75

TABLE 12.—SCHOOL BREAKFAST REIMBURSEMENT RATES, 1973–1993—Continued

[In cents per breakfast]

Effective dates	Paid	Reduced-price meals: Regular program total	Reduced-price meals: Schools with severe need total	Free meals: Regular program total	Free meals: Schools with severe need total
1986–1987					
July 1986–June 1987	10.25	40.75	55.00	70.75	85.00
1987–1988					
July 1987–June 1988	13.50	46.25	61.25	76.25	91.25
1988–1989					
July 1988–June 1989	14.00	49.25	64.75	79.25	94.75
1989–1990					
July 1989–June 1990	17.50	56.00	72.00	86.00	102.00
1990–1991					
July 1990–June 1991	18.25	59.75	76.75	89.75	106.75
1991–1992					
July 1991–June 1992	18.50	62.75	80.25	92.75	110.25
1992–1993					
July 1992–June 1993	18.75	64.50	82.25	94.50	112.25
1993–1994					
July 1993–June 1994	19.00	66.00	84.25	96.00	114.25

[1] January through June 1981 same as July through December 1980 because of elimination of January 1, 1981, inflation adjustment as provided under P.L. 96-499.

[2] Rates effective before implementation of OBRA of 1981 (P.L. 97-35).

[3] Rates effective because of changes enacted under the OBRA of 1981 (P.L. 97-35).

Source: U.S. Department of Agriculture, Food and Nutrition Service, Federal Register, Notices of reimbursement rates for selected years.

C. PROGRAM CHARACTERISTICS AND EVALUATIONS

1. The School Nutrition Dietary Assessment Study

In October, 1993, the USDA issued a study conducted for it by Mathematica Policy Research, Inc. which examined participation in the school lunch and breakfast programs; the nutrient content and foods provided in school meals and the average dietary intake of children in schools participating in programs. Data for the study was collected from a nationally representative sample of schools (545 schools) and students in those schools (3,350 students) during February and May, 1992.

Based on the findings, a comparison was made of the nutrients in foods in school meals to: (1) the existing meal requirements (one-third of the Recommended Dietary Allowances for key nutrients); (2) the USDA Dietary Guidelines for Americans for fat and saturated fat; and (3) the National Research Council Diet and Health Recommendations for sodium, cholesterol and carbohydrates.

The study found that the breakfast program was available to slightly more than one-half of the nation's students, and of those, about 20 percent participated in it. Fifty-nine percent of those who did not participate where a program was available ate breakfast at home; 12 percent reported eating no breakfast, 6 percent ate an a la carte breakfast at school; and 5 percent ate breakfast at a restaurant or elsewhere. No difference was found among children who ate no breakfast with respect to whether there was a breakfast program in their school or wasn't one.

According to the study, children from low-income families, younger students, male students, Afro-American students, and students in rural areas were more likely to participate in the breakfast program than others. The average charge for a paid breakfast in the 1991–92 school year was 60 cents. For reduced price breakfasts, the charge averaged 28 cents. According to principals of schools that did not participate in the program, the study revealed their most common reasons for not operating a program as being: no need for the program, transportation or scheduling problems, resource constraints, and lack of interest or support.

Nutritionally, the study found that school breakfasts provided one-fourth or more of the daily Recommended Dietary Allowance (RDA) for all nutrients but calories (24%) and zinc (21%). Program breakfasts also came close to meeting the Dietary Guideline for total fat (31% of calories from fat). The disparity in saturated fat contained in breakfasts from the Guideline, however, was greater. According to the study results, school breakfasts, on average, provided 14 percent of their calories from saturated fat, instead of 10 percent. The study also found that school breakfasts met the National Research Council's recommended levels for cholesterol and carbohydrates: 73 milligrams of cholesterol (vs. recommended maximum of 75 mg.) and 57 percent of calories from carbohydrates (vs. recommended minimum of 55%). The sodium level for school breakfasts (673 mg.), however, exceeded the recommended maximum of 600 milligrams.

The 24-hour recall of children's dietary intake revealed essentially the same patterns as school breakfast intake. Program participants consumed one-fourth of their daily RDA for all nutrients but zinc; participants intakes of fat were within 1% of the dietary guideline, but several percentage points higher than the guideline recommendation for saturated fat. On average, school breakfast program participants were found to consume higher average intakes of calories, protein, and calcium than non-participants. However, this positive finding was offset by the higher consumption among these students of calories from fat and unsaturated fat.

2. *Child Nutrition Program Operations Study (1991, 1992 reports)*

The Child Nutrition Program operations study is a multi-year study of school nutrition program operations conducted under contract with the USDA by the Abt Associates to gather information about programs in order to address various policy issues. The study was designed to collect data from States and participating school food authorities through annual telephone surveys in the school years 1988–89, 1989–90, and site visits in 1990–1991. The survey was intended to examine specific issues raised by the USDA as meriting information to formulate policy. Thus far the first and second reports of the study have been released. These responded to questions raised about the proportions of school participating and children participating in the school lunch and breakfast programs, information on average meal prices and meal costs, and food donation program issues (e.g. "buy America" purchasing, child nutrition labeling, technical assistance, inventory management, and satisfaction with State commodity agencies); the nutrient content of meals, factors affecting school breakfast participation by institutions, school meal counting systems, food service management companies, food service program characteristics, and training and technical assistance for school food authorities.

Factors influencing schools to participate in the breakfast program included concern about the nutritional needs of students (reported by 43% of schools), the poverty level of students (30%), and improved intellectual functioning (28%). Common reasons given for not participating were difficulty of opening early (27%), expected low participation by children (21%), lack of transportation (17%) and school board disinterest (14%). The study also found that a substantial proportion (26%) of schools eligible for "severe need" breakfast reimbursements did not apply for them because of the cost-accounting requirements needed to justify them, because the school did not offer a program, or because the school "did not need the extra money."

The first year report indicated that a wide array of breakfast foods were available to students and that the typical breakfast contained milk, citrus juice, and either iron-fortified cold cereal or some type of bread or roll. Most schools (86%) offered some hot food, and over half of participating schools offered some choice in selections. Over three-quarters of the program respondents said they offered "enhanced" breakfasts. Severe-need recipient schools were slightly more likely to offer hot foods (pancakes, bacon, eggs, hot cereal, etc.) than schools not getting the severe need reimbursement. These schools, however, were less likely to offer students choices than the non-severe-need school programs.

3. National Evaluation of School Nutrition Programs (1983)

In April 1983, the USDA published the final report of the National Evaluation of School Nutrition programs (NESNP). This is the most comprehensive study of school nutrition programs to date, and the USDA is continuing to analyze and update its data and issue reports extrapolated from it. Begun in October of 1979, the NESNP's objectives were:

> . . . to assess the current nutritional status of school children and the national need for school nutrition programs; to determine whether the current levels and targeting of program benefits are appropriate for participants' needs; to assess the impact of school nutrition programs on children their families, schools and school districts, and to develop forecasting models that can be used to predict participation rates in the school nutrition programs.[58]

a. Program and Participant Characteristics

The NESNP found that the school breakfast program was available to 39 percent of the Nation's public school students during the study period (1980–81). Approximately 8 percent of these students participated in the program on any given day, and participation was highest among students in low-income families, students in

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[58] System Development Corporation. The National Evaluation of School Nutrition Programs. Final Report, Volume I. Overview and Presentation of Findings. Santa Monica, Calif, Apr. 1983. p. 1.

"large" families (5 or more members) and in "small" families (2 or 3 members), students who received free meals, students in grades 1–6, and black, Hispanic and other minority students. White students tended to participate in the program at a considerably lower rate than nonwhite students; however, since they constitute most of the population they received 40 percent of school breakfasts.

The study also found that schools with breakfast programs tended to have lower per pupil expenditures than nonbreakfast program schools. Schools with breakfast programs tended to be in poor, urban, and southern districts; to have lower proportions of white students; to be large, and to operate in elementary or intermediate schools.

Data from the evaluation showed that there was no reduction in family food expenditures for the general population of school breakfast participants, irrespective of family income. This suggested that the program was supplementary to children's diets and increased the value of food available to participants' families.

b. Nutritional Benefits

The NESNP found that the single greatest nutritional benefit of the school breakfast program was that it increased the likelihood that children would eat breakfast. Since children who eat breakfast generally are better nourished than children who skip breakfast, this may be regarded as a nutritional benefit. However, the USDA's evaluation showed that among children who ate breakfast, a school breakfast was superior to a breakfast consumed by a nonprogram participant only in milk-related nutrients. When school breakfasts were compared to those eaten by children not participating in the program, the NESNP found that school breakfasts provided less vitamin A and B6 and less iron than breakfasts eaten by nonparticipants. The NESNP found no substantial differences in the growth and development of children participating and not participating in the breakfast program. However, data indicated that frequent breakfast participants were somewhat less likely than nonparticipants to be underweight or overweight, regardless of income status.

c. Participation Factors

The NESNP showed a high correlation between meal price and program participation; children who received breakfasts free, or at very low prices participated in the breakfast program more frequently than children who paid higher prices. Similarly, fall-offs in participation were associated with price increases. For example, the NESNP showed that at a cost of 20 cents, a 10 percent increase in the meal price was associated with a 7 percent decrease in participation. The degree of program drop-off response depended upon the price level of the meal, but was generally quite high in all cases.

III. CHILD AND ADULT CARE FOOD PROGRAM

A. PROGRAM SUMMARY AND DESCRIPTION

Permanently authorized under section 17 of the National School Lunch Act, the child and adult care food program (CACFP) provides funds for food service to children in child care centers and family and group day care homes and for chronically disabled and elderly persons in adult day care facilities. Program sponsorship is limited to public and private nonprofit sponsors, and for-profit sponsors if they receive compensation for child care under Title XX[59] of the Social Security Act for at least 25 percent of the children they serve, or in the case of adult care centers, if 25 percent of their enrollment receives Title XIX funds.[60] Homeless children under age 6 also may receive program benefits if they reside in approved emergency shelters. Federal assistance is provided in the form of set reimbursement rates for each meal served. Breakfasts, lunches, suppers, and supplements (snacks) are eligible for reimbursement, however, the number is limited to two meals and one snack per day per child in family and group homes, and two meals and two snacks or three meals and one snack in child care centers.

For child care centers, reimbursement rates are based on the family income of the child receiving the meal or supplement. As in the case of the school lunch and breakfast programs, a basic cash and commodity support reimbursement rate is paid for all meals and snacks served to all children in participating centers. Additional reimbursements are made for meals or snacks served at no charge or at considerably reduced prices to children whose family income meets federally set income criteria. The income cut-off levels for eligibility for free meals or snacks are the same as for the school lunch program: 130 percent of the Federal poverty income guideline ($18,655 for a family of four from July 1, 1993 to June 30, 1994). For reduced-price meals and snacks, the income cut-off level is 185 percent of the poverty guideline (or $26,548 for a family of four). The income limits are adjusted for inflation each July 1.

Reimbursement rates for breakfasts and lunches in child care centers are the same as those for school lunch and breakfast programs. Set rates are established for each snack served. Reimbursement rates for meals or snacks served in family day care homes vary only according to the type of meal served (breakfast, lunch or supper, and snack). These flat payment rates, which apply to children of varying family income, are slightly lower than those for free meals and snacks in child care centers. However, the children of family day care home providers may participate in the CCFP only if their family income is at or below 185 percent of the Federal poverty income guideline. Except for the children of home providers who do not meet this income test, all children under age 12 (age 15 if children are migrants) are eligible to receive federally subsidized meals in child care facilities participating in the CCFP.

For the period July 1, 1993 through June 30, 1994, the cash reimbursement rates for child care centers and family day care homes are as follows:

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[59] Title XX is the social services block grant.

[60] Pilot projects authorized through FY1994 permit for-profit facilities in Kentucky and Iowa to participate if at least 25 percent of the children in their care have family incomes at or below 185% of the Federal poverty guideline.

TABLE 13.—CHILD CARE FOOD PROGRAM CASH REIMBURSEMENT RATES

[In cents per meal]

	Free	Reduced-price	Paid
Child care centers			
Breakfast	96.00	66.00	19.00
Lunch and supper	172.50	132.50	16.50
Supplement	47.50	23.75	4.25
		All meals	
Family and group homes			
Breakfast		81.5	
Lunch and supper		148.0	
Supplement		44.0	

Source: Federal Register, v. 58, no. 1, Jan. 4, 1993 and no. 129, July 8, 1993.

Commodity assistance, valued at the same rate as for school lunches (14.0 cents in 1993–94) also is provided for each lunch served under the CCFP. This assistance is available either in actual commodities, or in their cash equivalent. Under current law all rates are adjusted annually for inflation each July 1. Payments to help pay administrative costs also are available for sponsors of family and group day care homes.

In FY 1992, an estimated 1.8 million children received federally subsidized meals daily under the CACFP. Approximately 48 percent of federally subsidized meals and snacks served under the CACFP in FY 1992 were served in child care centers, and the remaining 52 percent, in family or group day care homes. Most meals served in child care centers are served free or at reduced price to lower income children. The reverse is true for family and group homes. According to a USDA report, "Study of the Child Care Food Program," issued in September 1988, 73 percent of the children in participating child care centers have family incomes at or below 185 percent of the poverty level. In family or group day care homes, the comparable percentage is 29 percent. According to this report, 64 percent of children in child care centers and 16 percent of children in family or group homes participating in the CCFP have family incomes at or below 130 percent of poverty. Adult participants in day care facilities represent about one-tenth of one percent of all program participants. Data is not available on the types of meals offered to these participants.

B. LEGISLATIVE AND PROGRAM HISTORY

Until 1968, Federal assistance for institutional feeding programs was concentrated on food service programs in schools. That year, responding to concern about the nutritional needs of primarily low-income, preschool children and those who did not have access to food programs during the summer months, Congress adopted legislation creating a special food service program for children.

1. Special Food Service Program for Children

The CCFP evolved from the special food service program for children, which was authorized under section 13 of the National School Lunch Act Amendments of 1968 (P.L. 90–302). This program provided for Federal grants-in-aid to State educational agencies for distribution to public and private nonprofit service institutions for the purpose of establishing meal programs similar to those operating in schools. Appropriations of up to $32 million were authorized for the program for each of FY 1969 and FY 1970. The law authorized two pilot operations: one for low-income school children in the summer months and the other for children in day care centers or other nonresidential child care settings in areas with poor economic conditions or high concentrations of working mothers.

For the most part, appropriations for this program were allocated to States on the basis of their share of the total number of children in families with incomes below $3,000. A separate reserve was set aside for the outlying areas, and the Secretary could provide a basic grant of not more than $50,000 to each State before using the allocation formula.

In its first year, the child care segment of the special food service program for children provided $2.8 million in Federal funds and commodities for meals served to an average of 39,800 children daily. Federal funds were to be used to reimburse the costs of obtaining food, although a special payment[61] could be made to programs that otherwise could not operate effectively. States were also allowed to use up to 25 percent of their funds to buy or rent food equipment. Meals were required to meet minimum nutritional standards prescribed by the Secretary, and were to be served at no cost or reduced cost to children unable to pay the full cost. Programs were encouraged to use surplus or price-supported commodities, and the Secretary was authorized to donate such commodities to the program. Implemented in 1969, $10 million was appropriated for both segments of the special food service program in that year. The program served a daily average of 39,800 children in child care centers and 98,500 children in food programs operating during the summer months.

In 1970 Congress amended the National School Lunch Act (P.L. 91–248) to include a provision requiring that service institutions operating child care or summer food programs establish and make public, eligibility criteria for participation in the free and reduced-price portion of their programs. Such determinations were to be applied equitably. In 1971, P.L. 92–32 extended the special food service program through June 30, 1973, maintaining the $32 million authorization level, but also providing for a maximum of $100 million of section 32 funds to be used for free and reduced-price meals served to needy children in schools and child care and summer facilities. In 1972, P.L. 92–433 authorized up to $25 million of section 32 funds to be used specifically for the special food service program for children, in addition to the amount provided through appropriations. The authorization ceiling was removed, and such sums as were necessary were to be provided for FY 1973, 1974, and 1975. P.L. 94–20, enacted in 1975, extended the special food service program through September 30, 1975.

An average of 457,100 children participated daily in the child care portion of the program by the end of 1975, and approximately 1.8 million children participated in the summer food service portion of the program. The 1975 total cost of the special food service program was $100.8 million, with $47.2 million spent on the child care portion and $53.6 million on the summer portion.

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[61] Not to exceed 80 percent of operating costs for the cost of obtaining, preparing, and serving meals.

2. *Creation of the CCFP*

The 1975 amendments to the National School Lunch Act (P.L. 94–105) separated the child care and summer food components of the special food service program for children. The summer food service program continued to be authorized as a distinct program under section 13 of the National School Lunch Act. However, a new section 17 was created authorizing the CCFP through September 30, 1978. The definition of service institutions eligible for the CCFP was expanded to include any nonresidential public or private nonprofit organization providing child care in low-income areas. Family day care programs, Headstart programs, and comparable Homestart programs for children under 3 were explicitly made eligible for program participation. While the 1975 amendments broadened eligibility for service institutions, they also included new provisions requiring eligible institutions to have State, Federal, or local licensing or approval as a child care institution, or satisfy the Secretary of Agriculture that the child care standards followed were no less comprehensive than those required under the Federal interagency day care requirements.

For the first time, monthly payments were to be provided to the State agency on the basis of reimbursement rates for paid, free, or reduced-price meals. Breakfasts and lunches were to be reimbursed at the same rate as provided for in school feeding programs; suppers were reimbursed at the same rate as lunches, and snacks were reimbursed at rates of 15 cents (free snack), 10 cents (reduced-price), and 5 cents (paid). Reimbursement rates were to be adjusted semiannually each January 1 and July 1 to reflect changes in the CPI series for food away from home. The new law also provided for a mandatory level of commodity assistance, the value of which could be provided in cash if the State agency so requested. The law also required that $3 million of the appropriation be used for nonfood (or equipment) assistance. This funding was to be apportioned to the States on the basis of their share of the total number of children under age 6 in families that were eligible for free meals.

3. *Permanent Authorization*

In 1978, the CCFP was authorized permanently. The definition of eligible institutions was expanded to include programs developed to provide day care outside of school hours and public or private nonprofit organizations sponsoring family or group day care homes. Service institutions generally were required to have Federal, State or local licensing or approval. If such licensing or approval was not available, service institutions could qualify if they received funds under Title XX of the Social Security Act[62] or otherwise demonstrated ability to meet standards prescribed by the State or local government or the Secretary of the Department of Health, Education, and Welfare (now the Department of Health and Human Services).

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[62] This title provided funds to States for social services which included child care provided in centers that met Federal interagency day care requirements.

The most significant of the 1978 changes simplified sponsor claims through a three-tier system of reimbursement for meals served. Beginning in FY 1979, if more than two-thirds of the children in a child care center were from families with incomes below the eligibility ceiling for reduced-price school lunches, the free reimbursement rate could apply for all meals and supplements served in that center; if between one-third and two-thirds of the children were from such families, reduced-price rates could apply for all meals and snacks served; and if less than one-third of the children were from such families, the paid rate could apply for all meals and snacks served. The law allowed institutions (other than family or group day care sponsoring institutions) the option of receiving meal and snack reimbursements at the rate appropriate for the individual family income of each child served. In addition to this change, the new law created a separate reimbursement system for sponsoring organizations of family or group homes. This was intended to cover the cost of food and labor involved in preparing food and to encourage greater program participation by family day care homes. Federal payments were not related to the family income of the children.

Advance payments for participating institutions were also permitted, as were start-up payments for new programs. In an effort to expand the program, particularly in areas in which there were large numbers of needy children, the law provided that $6 million of appropriated funds in each fiscal year were to be used by the Secretary for equipment assistance. The allocation of such funds among States was based on their share of the total number of low-income children under age 6. Reallocation of unused equipment funds was permitted, and States had to provide at least 25 percent matching for such funds, except in especially needy situations.

The law imposed new requirements on the Secretary: to conduct a study of administrative costs of the operation of programs and to establish administrative payments based on these costs; to study licensing problems and food service operations, and to pay particular attention to the question of providing maximum reimbursements for food service costs versus different reimbursement rates for self-prepared and vendored meals. The law also required that the State plan for child nutrition operations include information about the CCFP in institutions and family or group day care homes. This information was to include: average daily attendance; status as licensed or approved by Federal, State, or local agencies, or receipt of Title XX funds; outreach activities with a priority on institutions serving needy areas; and audit and monitoring plans. Up to 2 percent of the amount of funds provided to States in the second preceding fiscal year were also made available for conducting audits of programs.

4. *Reconciliation Acts of 1980 and 1981*

In 1980, Congress enacted the Omnibus Reconciliation Act of 1980 (P.L. 96–499). This law reduced the Federal subsidy for child care food supplements (snacks) by 3 cents; substituted an annual July 1 inflation adjustment for the earlier semiannual adjustment of reimbursement rates for breakfasts, lunches and dinners; lowered the Federal authorization for child care food equipment from $6 to $4 million for FY 1981 and allowed participation in the program by for-profit child care sponsors if they received any funds under Title XX of the Social Security Act.

In 1981, Congress enacted the Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35), which included changes in the CCFP that were estimated to save approximately $114 million in FY 1982.

This new law made a number of substantive changes in the CCFP. First, the allowance for a three-tier system of reimbursement for meals served in child care centers was eliminated. The family income of the individual child in the child care center receiving a meal or snack was to determine the amount of the Federal reimbursement provided. Eligibility criteria for free and reduced-price meals or snacks was narrowed in accordance with the changes made to eligibility for free or reduced-price school lunches. While the reimbursement system for family day care homes remained without an income requirement, a provision was added prohibiting reimbursements for meals or snacks served to children of family day care home providers if their family income exceeded 185 percent of the poverty level.

Moreover, a limit on the number of meals that could be federally reimbursed was enacted under the 1981 law. This limit, set at two meals and one snack daily per child, applied to child care centers as well as family day care homes. The law also lowered the amount of Federal reimbursements provided for breakfasts, lunches, suppers and snacks in both child care centers and family day care homes.

Further, the 1981 law restricted sponsorship by for-profit sponsors who received Title XX social services (block grant) compensation to sponsors who received such compensation for at least 25 percent of the children being served. The 1-year suspension of the January 1, semiannual inflation adjustments of reimbursement rates (enacted under the 1980 reconciliation act) was made permanent, leaving in place annual (July 1) adjustments. Finally, the set-aside for equipment assistance to the CCFP (which had been lowered from $6 to $4 million in the 1980 reconciliation act) was eliminated.

5. *Recent Legislative Changes*

In 1986, after several years of trying to pass legislation to restore some of the cutbacks enacted for child nutrition programs in 1980 and 1981, Congress enacted School Lunch and Child Nutrition Amendments (P.L. 99–591 and 99–661) that included a provision increasing the meal reimbursement for breakfasts served under both the school breakfast program and the CCFP. Three cents in cash assistance was added to the amount of reimbursements for all breakfasts served in child care centers and family day care homes.

In 1988, the Hunger Prevention Act (P.L. 100–435) added a further 3 cent increase to breakfast reimbursements for both child care centers and family day care homes. Moreover, it authorized Federal reimbursement of an additional meal or snack in child care centers, but, largely because of the cost, did not extend this aid for extra food to family day care homes. However, a one-State demonstration project was included in the new law to test how Federal reimbursement for an additional meal or snack would affect (1) participation of such homes, and (2) the nutrition of children receiving such meals.

In 1989, the Congress included several changes to the child care food program when it approved the Child Nutrition and WIC Reauthorization Act (P.L. 101–147). It retitled the program "Child and Adult Care Food Program" to reflect the addition of adult day care centers as eligible sponsors under the Older Americans Act of 1987. It also extended for one-year the one-State demonstration project in Minnestota which permitted reimbursement for an additional meal or snack in family day care homes. (This project's authority eventually expired at the end of FY 1990.)

The 1989 law also added a new demonstration project for proprietary (for-profit) child care facilities in two States. Under this project authority, for-profit facilities in the selected States were eligible to participate in the program if 25% or more of their children are from families with incomes at or below 185% of the Federal income poverty level. The project (located in Kentucky and Iowa) was intended to to determine if changing the current for-profit sponsor eligibility criteria (i.e., at least 25% of children must have care reimbursed with Title XX social service grant funds) would expand child care food program availability to low-income children. The distinction in treatment between non-profit and for-profit child care facilities came into the program in 1981 when for-profits were first permitted to participate. Up until then, only public or non-profit facilities could receive child care food program funds. Federal subsidies for child care centers vary by the family income of participating children, but there is no variation in sponsor eligibility according to the proportions of poor children served. When for-profit child care centers were included as eligible sponsors, an additional condition that they serve substantial proportions of poor children was thought to be necessary. At the time, many States used Title XX block grant funds to help pay for child care services for low-income children, so this criteria was used to measure for-profit child care facilities' service to this population.

Problems, however, began to develop in the late 1980's and early 1990 when the Congress approved several laws which expanded Federal financial support for child care from sources other than Title XX.[63] Some for-profit child care facilities that were serving low-income children were excluded from food program sponsorship when States decided to use funds other than Title XX money to pay for poor children's care. Several legislative proposals were made during the 102nd Congress to change the Title XX test for for-profit sponsor eligibility. Some of these would have permitted such facilities to count low-income children receiving support under both Title XX and other publicly funded child care programs (like the JOBS program for welfare mothers). Others proposed using the actual family income of participants, rather than the source of child care support as the appropriate determinant of whether a for-profit facility was serving substantial numbers of poor children. Severe budgetary constraints and decisions to use what limited new money was available for other, more low-income targetted nutrition programs (e.g. WIC and Food Stamps) kept the Congress from taking any further action on this issue other than to extend the two-State pilot project through FY 1994.

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[63] The Congress expanded resources for child care with the passage of the 1988 Family Support Act, which provided funding for child care under the Jobs Opportunities and Basic Skills (JOBS) program. Some States began using these alternative funds in lieu of Title XX funding for child care for low-income children. As a result, some for-profit child care facilities lost eligibility for the child care food program even though they still served low-income children. This problem became more pronounced after the 1990 passage of a child care and development block program by Congress.

TABLE 14.—CHILD AND ADULT CARE FOOD PROGRAM PARTICIPATION AND EXPENDITURES, FY 1969–1993 (EST.)

Fiscal year	Average daily participation (peak month)	Program expenditures millions[1]
1969	39,800	$1.1
1970	93,300	5.6
1971	175,600	13.9
1972	215,500	17.7
1973	225,300	20.6
1974	377,200	31.0
1975	440,400	54.9
1976	463,100	87.1
TQ[2]	551,600	21.4
1977	580,000	122.5
1978	619,300	141.0
1979	660,300	161.8
1980	723,800	215.7
1981	859,500	289.8
1982	901,100	270.5
1983	965,000	335.2
1984	1,058,000	378.9
1985	1,205,000	434.9
1986	1,188,000	475.7
1987	1,292,000	551.3
1988	1,364,000	613.1
1989	1,400,000	677.4
1990	1,600,000	814.4
1991	1,580,000	927.9
1992	1,955,000	1,189.4
1993 (estimated)	NA	1,273.2

[1] Program level does not include commodities, or cash in lieu thereof. Constant dollars showing the value of assistance in FY 1993 dollars are provided in table 5 of this report for selected years of the program's history.

[2] Transition quarter—period from July 1 through September 30, 1976, just prior to the official change in the fiscal year from July 1 through June 30, to October 1 through September 30.

C. PROGRAM CHARACTERISTICS AND EVALUATIONS

1. USDA CCFP Study (August 1988)

A study was conducted by the USDA with Abt Associates (the same contractor who did the 1983 national evaluation) to provide a detailed description of the CCFP in 1986. In September 1988, this study was published by the USDA. Based on information collected from a nationally representative sample of program participants in 20 States, the study found that approximately 1.9 million children were enrolled in CCFP participating day care facilities in 1986–1987. Thirty-one percent of those children were in family or group day care homes, while the remaining 69 percent were in centers (25 percent in Headstart and 44 percent in others).

Homes participating in the CCFP were found to have an average of 5.8 children in care each day, or 4.8 children if the providers' own children were excluded. This compares to an average of 48 children enrolled in Headstart centers and 73 in other types of centers. Children in most family day care homes (87 percent) and non-Headstart centers (70 percent) were in day care arrangements that provided flexible care (e.g., full day care or after-hours care). Sixty-seven percent of children in homes and 40 percent of children in non-Headstart centers had two employed parents, and most of those day care facilities were open 10 or more hours a day.

Racial characteristics of children in the 1986-1987 CCFP population were: in homes, 80 percent white (non-Hispanic), 12 percent black, and 5 percent Hispanic; in centers, 40 percent white, 40 percent black, and 16 percent Hispanic.

The predominant meal service pattern (36 percent) in centers was breakfast, lunch, and one snack. In family day care homes, the predominant pattern (29 percent) was breakfast, lunch, and two snacks. Approximately 28 percent of all centers and homes served either one more snack (25 percent), two more snacks (1 percent), or one more meal (3 percent) than was reimbursed by the CCFP.

Most children in family day care homes in the 1986–1987 study period (76 percent), lived with both parents, while just over half of the children in participating centers lived with only one parent. As might be expected from this finding, the median income of children in homes was substantially higher than that of children in centers, $26,330 compared to $8,680. An estimated 16 percent of children in CCFP homes were shown to have family incomes below 130 percent of the Federal poverty level while 64 percent of the children in CCFP centers had family incomes below this level.

The 1986 USDA study also compared its findings with those from 1982. It noted overall relative stability in the CCFP over the 5-year period despite substantial program growth. The main changes noted were (1) a wider age range of children with more under 3 years old and over 5 years old being served; (2) a shift toward more full-time care; (3) a shift in the number of meals or snacks served to the federally reimbursable limit of two meals (breakfast and lunch) and one snack; and (4) a growing proportion of children in participating day care homes with family incomes above 185 percent of the poverty level. The distribution of income of families of children in child care centers was reported to have stayed virtually the same between 1981 and 1986.

2. *USDA Evaluation of the CCFP (1983)*

In 1978 Congress directed the USDA to study the CCFP to (a) determine barriers to participation in the program; (b) examine administrative and food costs; and (c) study the quality of meals served. The study followed Congressional efforts to expand participation in the program through more flexible income criteria and abolition of income testing for family and group homes. The study was conducted between 1979 and 1982, and the final report was submitted to Congress on February 28, 1983.[64] Two data collections were made under the study, the first between January and March 1980 and the second between January and March of 1981. Major changes tightening program eligibility and meal reimbursements under the program in FY 1982, after the enactment of the Omnibus Budget Reconciliation Act of 1981, were not reflected in the study. However, the contractor (Abt Associates) noted that "many of the analyses conducted offer insights into the potential effects of this legislation. . . ."

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[64] U.S. Dept. of Agriculture. Food and Nutrition Service. Evaluation of the Child Care Food Program. Final Report on the Studies of Program Participation, Cost and Meal Quality Mandated by P.L. 95–627, The Child Nutrition Amendments of 1978. Washington, Feb. 28, 1983.

a. Participation

Data collected before the 1982 cutbacks in reimbursements and tightening of eligibility criteria for centers indicated that the actions taken by Congress in 1978 to expand the program were most effective for family day care home participation. The 1978 legislation eliminated individual income testing and income-based reimbursements for family and group day care homes and separated reimbursements for sponsors' administrative costs from meal reimbursements to homes. According to the study's findings, these changes dramatically increased the level of reimbursements for providers, especially those serving middle-income children. Growth in family day care participation following these changes occurred primarily among homes serving middle-income children. Before the 1978 changes, according to the study, approximately one-third of children served in participating homes had their meals reimbursed at the paid rate, whereas in December 1981 about 63 percent of those served would have been in the paid income eligibility category if there had been an income test for meals. According to more recent USDA data, family day care homes are the fastest growing participants in the CCFP.

Changes in participation by child care centers in response to the three-tiered reimbursement system established under the 1978 Act appear to have been minimal.[65] This finding is relevant for the current program, since the 1981 Omnibus Budget Reconciliation Act eliminated the three-tier reimbursement system. The study findings, as well as more recent data on program participation by centers, suggest that the elimination of the three-tier system beginning in FY 1982 had little impact on program growth. A more compelling factor for participation by child care centers, according to the USDA study, was the center's participation in other government programs (such as Title XX) and the level of potential reimbursements. The study reported that 60 percent of the Nation's day care centers participate in the CCFP, and it foresaw little likelihood of substantial growth in participation by such centers without significantly large increases in reimbursement rates. This projection is somewhat substantiated by child care center participation in the CCFP over the past 5 years. However, the tightening of income eligibility and the reimbursement rate reductions resulting from legislation enacted in 1980 and 1981 also may have discouraged child care centers from joining the CCFP.

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[65] The three-tier system allowed centers to receive reimbursements at the free rate for all meals if two-thirds or more of the children in a center qualified for free meals; reimbursements at the reduced-price rate for all meals if between one-third and two-thirds of the children were qualified for reduced-price meals; and reimbursements at the paid rate for all meals if less than one-third of the children qualified for free or reduced-price meals.

b. Program costs

The USDA study found that in January 1980 food program costs in day care centers participating in the CCFP were more than twice those of nonparticipating centers. Although food costs are slightly higher in participating centers, food service delivery (including labor) and program administration costs accounted for the largest difference between participating and nonparticipating centers. The study indicated that the absence of a relationship between meal quality and food costs was likely a consequence of better nutrition training in participating centers since such training makes it possible to prepare nutritious meals at lower costs.

Higher administrative costs in participating child care center food programs were due largely to the administrative requirements of the CCFP, which the study found to account for two-thirds of total resources devoted to food program administration.

According to the data collected in January 1980, the CCFP reimbursed participating centers for an average of 36 percent of their food program costs. The study found that if all meals in the child care centers had been reimbursed at the free rate, the CCFP would have covered 68 percent of total costs.

Comparing the operating costs of participating family day care homes and centers, the USDA study found that food costs were higher and administrative costs lower in homes than in centers.[66] This was not surprising since economies of scale operate with respect to food costs in centers and administrative requirements are minimal in homes.

While reimbursement rates are intended to cover costs in family day care homes, the USDA study indicated that in January 1980, CCFP reimbursement covered only 35 percent of food service costs. This is similar to the percentage of food service program costs covered by the CCFP reimbursements for day care centers (36 percent). With the reductions in reimbursements enacted subsequent to this study, it is likely that CCFP reimbursements cover a smaller percentage of current program costs.

c. Meal quality

Study results showed that the CCFP provided children in both child care centers and family day care homes with meals that offered "significant opportunity" for receiving an adequate daily dietary intake. The nutritional quality of the diet and the quality and variety of food served in CCFP facilities was judged to be significantly better than in centers that did not participate in the program. During the study period, which was before the 1982 implementation of the limit on the number of meal reimbursements and reductions in reimbursement amounts, participating programs served more meals and snacks than nonparticipating programs. The difference was marked for breakfasts; 70 percent of participating centers and 87 percent of homes offered breakfast, compared to only one-third of nonparticipating programs. Snacks served by CCFP centers were found to be better in terms of calories and nutrients and dietary balance than those served in nonparticipating programs. Centers participating in the CCFP were found to serve more naturally high quality nutrient source foods than nonparticipating centers. Substantially higher amounts of naturally rich vitamin A foods (+38 percent) and vitamin C foods (+61 percent), iron rich foods (+28 percent), fruits, vegetables and juices (+129 percent), and whole grain bread products (+50 percent) were served more often in participating centers than nonparticipating centers. Further, milk was served more frequently with snacks, and fewer concentrated sweets and sweet desserts were served as snacks in participating programs.

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[66] Data were not available on food program operators in homes not participating in the CCFP.

IV. THE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN

A. PROGRAM SUMMARY AND DESCRIPTION

The summer food service program is authorized through FY 1994 under section 13 of the National School Lunch Act. The program provides Federal funds for meals served during the summer months to children in programs operated by schools or local municipal or government agencies, or certain non-profit private sponsors, in "areas in which poor economic conditions exist." The law defines these as areas in which at least one-half of the children are eligible to receive free or reduced-price school lunches. Public and private nonprofit summer camps and universities that participate in the National Youth Sports program also may qualify for federally subsidized meals under the summer food service program.

Breakfasts, lunches, dinners, or snacks (also known as supplements) may be served under the program. All are provided free to all children in daytime summer programs and to children in residential camps whose family incomes are at or below 185 percent of the Federal poverty income guidelines ($26,548 for a family of four in the summer of 1993). The number of meals allowed to be subsidized is limited to two (lunch and either breakfast or a supplement) per child per day, except in camps and programs primarily serving migrants, where up to four meals may be subsidized each day for each child.

Reimbursement rates for the summer food program are set by law and adjusted each January to reflect the increase in the CPI series for food away from home for the most recent 12-month period. For the 1993 summer program, the rates were: $2.0425 for lunches or suppers; $1.1375 for breakfasts; and 53.5 cents for supplements. Additional reimbursements for administrative costs were provided at a rate of 16.0 cents per lunch or supper (19.5 cents in rural or self-preparation sites); 8.25 cents per breakfast (10.5 cents in rural or self-preparation sites); and 4.25 cents per supplement (5.25 cents in rural or self-preparation sites). Higher administrative rates are provided for meals served in rural areas or where meals are prepared on site because of the generally higher operating costs of such programs.

In the summer of 1992, the most recent final data available showed average daily participation by 1.9 million children during the peak month of participation (June). The Federal Government reimbursed a total of 105,822 meals and snacks that summer, at a cost of $203 million. The summer food service program is scheduled to expire at the end of FY 1994 unless legislation is enacted to extend it beyond that time.

B. LEGISLATIVE AND PROGRAM HISTORY

1. Special Food Service Program for Children (1968–1975)

In 1968 Congress enacted P.L. 90–302, which included a provision creating the special food service program for children. This program was created as a 3-year pilot project to provide lunches to children in year-round child care centers and in summer recreation programs in low-income areas and areas in which large numbers of mothers worked outside the home. The summer food component of the program was intended to extend school lunch service for needy children after the school year ended. Initially, eligible summer service institutions were public or private nonprofit institutions that developed special summer programs providing food services similar to those made available through the school lunch or school breakfast program. Many of the early sponsors of the summer program were municipal governments that arranged to have playgrounds, public housing facilities, and schools made available to thousands of children during the summer months. In the first year of the summer program's implementation (FY 1969), peak month participation was 98,600 children, and the program provided 2.1 million meals at a Federal cost of $309,000. By the last year of the pilot project (summer of 1971) peak participation reached 569,000.

In 1971, Congress extended the special food service program through FY 1973 (P.L. 92–32). P.L. 92–433, enacted in 1972, further extended the program through FY 1975 and added a provision encouraging the use of existing food service facilities in public and private nonprofit schools. By the summer of 1973 peak participation in the summer portion of the special food service program reached 1.4 million children.

A survey by the USDA in 1973 and a General Accounting Office (GAO) report[67] in 1975 highlighted administrative and other problems in the summer food portion of the program. These reports precipitated congressional hearings on this subject and interest in the creation of the summer food program as a separate entity.

2. Creation of Summer Food Service Program (1975)

The USDA and GAO reports identified problems in operations at summer feeding sites and in outreach activities to eligible children, and made recommendations for administrative changes and clearer definitions of eligible areas and institutions. Largely in response to these recommendations, Congress revised the program when it adopted the National School Lunch Act and Child Nutrition Act of 1966 Amendments of 1975 (P.L. 94–105).

This law separated the summer food service program from the year-round portion of the special food service program (which became the child care food program). It extended the summer program through FY 1977 and made nonprofit residential summer camps eligible as summer program sponsors. To assure that the Secretary would fund programs, the 1975 amendments added definitions of eligibility for program sponsorship, and provided that eligible service institutions could enter the program upon request. Such institutions had to conduct regularly scheduled programs during the summer months for children from areas in which poor economic conditions existed. Areas with poor economic conditions were defined as areas in which at least one-third of the children were eligible for free or reduced-price meals under other child feeding programs. Meals were to be provided to children at no cost, and reimbursement levels were established for food service operations, which included the cost of obtaining, preparing, and serving food.

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[67] U.S. General Accounting Office. An Appraisal of the Summer Food Service Program for Children; Report to the Congress by the Comptroller General of the United States. RED 75–336, Feb. 14, 1975. Washington, 1975.

In response to claims that the program was difficult to administer because of limited funds and late payments, the new law also authorized funding for administrative costs and advance payments. It required the Secretary of Agriculture to publish regulations, guidelines, applications, and handbooks for the program February 1 of each fiscal year so that potential program sponsors would have enough time to complete the implementation process before the summer began.

As a result of the expansion of eligibility enacted in 1975, many new sponsors and children joined the summer food program. Between July 1974 (FY 1975) and July 1976 (1976–77 transition period), peak month participation in the summer program nearly doubled from approximately 1.8 to 3.5 million children.[68]

3. Program Abuses and Reforms

In April 1977, GAO issued a study on the summer food service program that reported substantial problems among program operators.[69] The GAO found evidence of food waste caused by inadequate storage and spoilage; deliberate dumping; poor quality food; adult food consumption or offsite consumption by children; improper bidding procedures and indications of kickbacks and bribes; failure to meet meal pattern requirements and payments for unserved meals. Most of the abuses appeared to involve private, nonprofit program operators that served substantial numbers of children at many sites and who used private food service companies for food delivery.

The Congress responded quickly to the report, amending the law that same year (P.L. 95–166) to improve program administration, increase monitoring, and tighten program requirements. The 1977 amendments placed restrictions on the operation of programs that used private food service management companies, or vendors, for meal service. These included requirements for vendor registration. In addition, the new law defined an "eligible sponsor" as one that demonstrated adequate administrative and financial capability; had not been seriously deficient in past program operations; was either a camp or conducted a regularly scheduled food service program in a low-income area; and, except where needy children would otherwise not be served, provided on-going, year-round service to the community.

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[68] July of 1974 was the first month of FY 1975. In 1976 the Federal fiscal year was changed from July 1–June 30, to October 1–September 30. July–September 1976 was the transition quarter, or period when this change went into effect.

[69] U.S. General Accounting Office. Department of Agriculture, Food and Nutrition Service. The Summer Feeding Program—How to Feed Children and Stop Program Abuses. Report to the Congress by the Comptroller General of the United States. CED 77-95, Apr. 15, 1977. Washington, 1977.

The 1977 law included a requirement for priority listings to be used by States when more than one eligible service institution proposed to serve the same area. The listing was to place local schools or service institutions with proven meal service success at the top of the list. These were to be followed by: institutions that prepared meals on-site or operated at only one site; institutions using local school facilities for meal preparation; other institutions with demonstrated success in program operation; and institutions that planned to integrate their program with Federal, State, or local employment programs. The 1977 law further provided for separation of administrative costs from the meal reimbursement structure and required the Secretary to study administrative costs and establish maximum allowable levels for administrative payments. In addition, the law permitted States to pay some administrative expenses of the summer food program with unused Federal funds that had been provided for the administration of other child nutrition programs. The law required States to forward advance payments to sponsors by specific dates so that late payments and resulting uncertainty could be avoided. Also, Federal advance payments to the States were required to be made available at an earlier date and program start-up costs, not exceeding 20 percent of administrative costs, were allowed. Finally, the 1977 amendments extended the authority for the program through FY 1980.

After the enactment of the 1977 amendments, participation in the program began to drop. The program had reached an all-time high in participation during the summer of 1976 (3.46 million children), and by 1978 had dropped by over 1.1 million to 2.33 million. In 1978 Congress amended the law (P.L. 95–627) to increase State administrative expense funds for the summer food program. This provision was added to assist States in meeting the more stringent administrative requirements that had been imposed in 1977, which some believed had slowed down sponsor approvals and encouraged States to turn over State administration of the program to the Federal Government.

4. Status of the Program (Summer 1980)

By the summer of 1980, peak participation in the summer food service program reached 1.9 million children who received some 108 million federally subsidized meals at a Federal cost of approximately $113.2 million. The program was available for children from low-income areas (defined as areas where at least one-third of the children were income eligible for free or reduced-price lunches (at the time, with family income at or below 195 percent of the USDA poverty level), and eligible sponsors included nonresidential public or private nonprofit institutions (such as schools, church groups, and community service organizations) and public or private nonprofit summer camps. These organizations were required to operate special summer or school vacation programs providing food service similar to that made available through school lunch and breakfast programs. Federal reimbursements were available for up to three meals (one of which had to be a supplement, or snack) per day per child in day summer programs and for up to four meals (one of which had to be a snack) per day per child in residential summer camps. Each meal was subsidized at a legislatively mandated rate annually indexed for inflation, which varied according to the type of meal served (i.e., breakfast, lunch or dinner, or snack). No meal charge was allowed for any children receiving meals in day summer programs. In such programs all of the meals were subsidized at the set rates, but in residential summer camps only those meals that were served to children meeting the income eligibility criteria for free and reduced-price school lunches were so subsidized.

5. *Omnibus Reconciliation Act of 1980 (P.L. 96–499)*

In the last days of the 96th Congress, Congress passed comprehensive legislation to reduce Federal spending in a wide area of domestic program areas. The Omnibus Reconciliation Act of 1980 (P.L. 96–499) included changes in child nutrition programs, including the summer food program, designed to reduce overall funding for these programs by approximately $400 million in FY 1981. The law included a reduction in the number of meals that could be subsidized each day for children in nonresidential summer food programs: instead of three meals (one of which was a snack) Federal subsidies were limited to two meals (lunch plus either breakfast or a snack). An exception to this limit was allowed for day programs that served primarily migrant children. Such migrant daytime programs as well as residential camps could continue to have up to four meals (one of which was a snack) per child subsidized each day. The Congressional Budget Office (CBO) estimated that the limit on the number of meals that could be reimbursed in day programs would reduce Federal spending in the summer food program by $18 million below the level that would otherwise have been spent in FY 1981. The 1980 reconciliation law also extended the summer food service program through FY 1984.

These changes were implemented in the summer of 1981, and peak participation in the summer food program was maintained at approximately 1.9 million children. However, subsidized meals dropped from 108.2 million to 90.3 million. Actual Federal spending for the program in 1981 was $105.4 million, a reduction of approximately $7.8 million below the 1980 program level of $113.2 million.

6. *Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35)*

In 1981 Congress passed another comprehensive budget reduction measure. The Omnibus Budget Reconciliation Act (OBRA) of 1981 included changes in child nutrition programs that CBO estimated would reduce overall FY 1982 funding for these programs by approximately $1.5 billion below the projected spending level for that year.

Among the changes affecting the summer food service program was a prohibition on sponsorship of summer programs by all organizations other than public and private nonprofit school food authorities, local municipal or county governments, and public and private nonprofit residential summer camps. This excluded sponsorship of programs operated by private sponsors, such as church groups, community service programs not operated by local governments, and other private charitable organizations. Such sponsors accounted for a significant proportion of program operators. USDA data on the 1980 summer program indicated that almost one-fourth of the 2,998 summer food programs sponsors were either churches

(309) or community action agencies (397). Elimination of sponsorship by private, nonprofit agencies was urged as a way to save Federal dollars. Furthermore, some proponents of the change argued that State and local governments should assume more responsibility for the summer program. Moreover, private sponsors remained vulnerable to claims of mismanagement, despite evidence suggesting that the kinds of program abuses occurring among such sponsors in past years had been ended by the 1977 reform amendments, and even though most of the earlier problems were caused by large sponsors, both public and private, who contracted with vendors for meal service at multiple program sites.

In addition to the sponsor exclusions, the new law also changed geographical eligibility criteria from areas with one-third of the child population income eligible for free or reduced-price lunches to areas in which at least one-half of the children were so needy. Finally, the OBRA excluded from participation in the special milk program all schools and institutions that participated in other child nutrition meal service programs. This meant that summer food programs, which had received federally subsidized milk under the special milk program, no longer were eligible for such milk. The CBO estimated that the sponsor and area eligibility changes made to the summer food service program would reduce FY 1982 funding for this program from an estimated $132 million to $61 million, for a reduction of $71 million, or 54 percent.

In the summer of 1982, following the implementation of the OBRA provisions, peak participation in the summer food program dropped by approximately 500,000 children from 1.9 million in 1981 to 1.4 million in 1982, and the number of subsidized meals served dropped from 90.3 million to 65.8 million. Federal funding for the program during the summer of 1982 was $87.4 million, a reduction of approximately $18 million from the summer 1981 program cost and a decrease of $45 million, or 34 percent, from the estimated amount that would have been spent for the program in FY 1982 if there had been no program changes.

7. *Program Restorations and Expansion*

After the 1981 cutback in the Summer food service program reduced Federal funding by half and removed some 500,000 participants from the program, there were several attempts to restore some of the losses to the program. These finally succeeded in 1988 with the enactment of a provision in the Hunger Prevention Act (P.L. 100–435) that created a 5 State demonstration project for private non-profit summer food program sponsors. The project permitted privately sponsored programs in the pilot project States to operate summer programs in those low-income areas where public sponsors did not operate programs. Under the project, limits were placed on the number of sites and children that could be served by a private sponsor. Additionally, in order to avoid the kinds of fly-by-night operations that had undermined the summer program in the late 1970's, private nonprofit sponsors could only operate a program if they conducted on-going, year-round activities for children. This demonstration project was designed to test whether private, nonprofit agencies could be regulated so as to avoid the fraud and abuse that had plagued their earlier programs, and to expand the program's reach to poor children.

In 1989, the Congress, in effect, nationalized the 5-State demonstration project. Eligibility for summer food program sponsorship was restored to all private non-profits under the same basic terms and conditions as were specified for the demonstration projects.[70] By FY 1992, the number of children participating in the Summer food service program reached 1.9 million. This is approximately 55 percent of the historical peak participation the program reached in the 1976–77 transition quarter. However, it is nearly the same as the level reached before the 1981 cutbacks, which excluded private, non-profit sponsors from the program.

The 1989 reauthorization law also extended eligibility for summer food service program to the non-summer months when it created a special provision for National Youth Sports programs operating in colleges and universities during the academic year. This provision permits sponsors of these programs, which are designed for low-income inner city youth, to receive meal payments under the Summer food programs for a limited number of week-end programs taking place outside the Summer months. Because of some objections to extending the Summer program into the non-Summer months, the program developed under the 1989 law offers a curious blend of various programs' reimbursement structures. Meals served under the "extended Summer" program are reimbursed at the free school lunch and breakfast rates, rather than the normal summer food program rates for these meals; snacks are reimbursed at the free breakfast rate; and no administrative payments are permitted for any of the reimbursed meals.

The following table provides historical information on summer food service program funding and participation.

TABLE 15.—SUMMER FOOD SERVICE PROGRAM—FUNDING AND PARTICIPATION, FY 1969–1993

Fiscal year[1]	Expenditures (thousands)[2]	Participation (millions)	
		Children served (peak month)[3]	Meals served
1969	$309	100	7.1
1970	1,753	227	8.2
1971	8,112	569	29.0
1972	21,817	1,080	73.5
1973	26,547	1,437	65.4
1974	33,532	1,403	63.6
1975	50,230	1,785	84.3
1976	73,379	2,454	104.8
TQ[4]	144,623	3,455	197.9
1977	129,649	2,791	170.4
1978	100,266	2,334	120.3
1979	112,509	2,126	121.8
1980	113,194	1,922	108.2
1981	105,426	1,926	90.3
1982	87,426	1,418	69.8
1983	91,868	1,377	72.0
1984	104,622	1,402	72.1
1985	115,000	1,486	76.2
1986	121,900	1,445	75.1
1987	127,900	1,560	79.9
1988	136,300	1,580	84.1

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[70] Child Nutrition and WIC Reauthorization Act, P.L. 101–147.

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TABLE 15.—SUMMER FOOD SERVICE PROGRAM—FUNDING AND PARTICIPATION, FY 1969–1993—Continued

Fiscal year [1]	Expenditures (thousands) [2]	Participation (millions)	
		Children served (peak month) [3]	Meals served
1989	146,700	1.680	86.4
1990	163,500	1.690	91.2
1991	179,100	1.800	96.4
1992	189,300	1.955	105.8
1993 (estimated)	215,700	NA	NA

[1] The summer program operates only in the summer months—part of May through part of September. For this table, FY 1969-1976 begin July 1 of the preceding calendar year and end on June 30 of the fiscal year indicated. Beginning in FY 1977, the fiscal year was changed to an October 1–September 30 period, so the fiscal year reflects the calendar year months of program operation, May-September.

[2] Program funding levels do not include value of commodities. Constant 1993 dollars for selected years are shown in table 5 of this report.

[3] Peak participation month is July.

[4] Transition quarter—period from July 1 through September 30, 1976, just prior to official change in fiscal year from July 1 through June 30 to October 1 through September 30.

Source: U.S. Department of Agriculture, Food and Nutrition Service. Budget explanatory notes, and Food Program Updates for selected years.

C. PROGRAM CHARACTERISTICS AND EVALUATIONS

In July 1988, the USDA published the results of an evaluation of the summer food service program that was undertaken by Mathematica Policy Research, Inc. under a contract with the FNS. The evaluation, which is largely descriptive, provides information about the characteristics of summer food programs and participants throughout the country, based on data from a nationally representative sample of programs in 17 States. The data were collected during the summer 1986 program season. The study reported information on the types of program sponsors and meal sites, program coverage and locations, types of meal service, program costs and administration, and characteristics of participants.

According to this evaluation, 66 percent of summer food programs and 76 percent of children receiving meals are located in urban areas. The types of entities sponsoring programs are public and private schools (32 percent), State and local governmental agencies (31 percent), and residential camps (36 percent). Most of the children served by the program (52 percent) are in sites operated by governmental agencies. Local and municipal governments are the largest category of governmental program sponsors (47 percent), and serve the largest share of children (25 percent) served by governmental entities. Schools serve 43 percent of children in the summer food program, and public schools are the major types of school sponsors (22 percent public school sponsors versus 10 percent private school sponsors).

Summer food program sponsors may operate the program at a variety of sites, but the most common setting for program operations is a school. According to the USDA evaluation, 49 percent of children in the program receive food at a school, and 33 percent of sponsors use schools as their feeding sites. Playgrounds and parks represent 17 percent of sites and serve 15 percent of program children participating in the program nationwide; recreation centers, 14 percent of sites and 14 percent of program children; and community centers or settlement houses, 14 percent of sponsors and 12 percent of recipients. Most program sites (81 percent) have scheduled activities, and the most common activities offered are organized games (64 percent of sites), arts and crafts (50 percent of sites), and educational or instructional activities (44 percent).

A large majority of program sponsors, (63 percent) operate a summer food program at only one site. However, three-fourths of children participating in the program (75 percent) are in programs operated by sponsors that oversee 10 or more sites. Almost 44 percent of sponsors, serving 3 percent of the children in the summer food program, serve fewer than 100 children a day (many of these are residential camps). More than 72 percent of children in the program are served by sponsors who serve 1,000 or more children per day. Most of the sponsors operating summer food programs (65 percent) have 4 or more years of experience in operating programs. Approximately 70 percent of the children served are in programs operated by such sponsors.

Staff at program sites are commonly drawn from teachers, students, kitchen workers and homemakers. Students are the most common staff at summer food program sites; more than 37 percent of sites employ paid students for their programs, and over 40 percent have student volunteers. Teachers comprise the next largest category of defined personnel with other regular occupations. Some 20 percent of sites employ and pay teachers as summer food program staff. Less than three-tenths of 1 percent have volunteers who are teachers. Homemakers serve as volunteer staff at more than 18 percent of summer food program sites.

Slightly more than half of summer food programs (50.6 percent) have vendor prepared and delivered meals, while the remaining programs prepare food on-site. Nearly all sites (99 percent) offer lunches to children, and about one-third offer breakfasts. Most of the children in the summer food service program (58 percent) are aged 6–12. The next largest age group is 13–18 years old (23 percent), followed by children younger than 6 (17.5 percent). The age composition of children served is relatively consistent among programs sponsored by local government agencies and public schools. However, the composition in private schools is different. A substantially higher proportion of children served by them are of preschool age (25 percent versus the national average of 17.5 percent). Furthermore, a negligible share of children served in residential camps (0.5 percent) are under age 6.

The largest racial or ethnic group served by the summer food program is black children, who represented 56 percent of all children in the summer 1986 program. Black children comprised a substantially higher proportion (77 percent) of those served by local and municipal government sponsored programs, but a below-average share (27 percent) of the children served in residential camps. Hispanic children represent 20 percent of the Nations' program participants; white children, 17 percent; native Americans, 5 percent; and Asian children, 2 percent. Except for camps, most of whose enrolled children are white (57.3 percent), blacks account for the largest proportion of children served by all types of sponsors. In public schools, Hispanics make up the second largest group of children served (38 percent). This proportion is substantially higher than the share of total children in the summer feeding program who are Hispanic (20 percent) and is more than triple the proportion of Hispanic children served by county and State sponsored programs, local and municipal government sponsored programs, or residential camps who are Hispanic (8 percent, 10 percent, and 10 percent, respectively).

The following table provides racial and ethnic data on the children served by the summer food service programs and the sponsors serving them.

TABLE 16.—SUMMER FOOD SERVICE PROGRAM—RACE AND ETHNICITY OF CHILDREN PARTICIPATING, SUMMER 1986

Sponsors	All children (percent)	Hispanic (percent)	Black	White	Native American	Asian
All sponsors	100.0	20.2	56.3	16.9	4.6	2.0
By type						
Local/municipal	46.9	10.2	76.7	10.3	1.0	1.8
County/State	5.1	8.2	57.3	20.5	13.2	0.7
Public school	35.4	37.5	44.5	11.6	4.2	2.3
Private school	7.6	13.0	47.9	28.8	5.0	4.8
Residential camp	5.0	10.0	27.1	57.3	4.7	0.9

Source: U.S. Department of Agriculture, Food and Nutrition Service, Office of Analysis and Evaluation. An Evaluation of the Summer Food Service Program: Final Report. July 1988.

V. COMMODITY DISTRIBUTION PROGRAM

A. CURRENT LAW

Two sections of the NSLA, Section 6 and Section 14, govern the distribution of commodities to child nutrition programs. Section 6 of the Act requires the Secretary of Agriculture to provide an annually programmed level of commodities for the lunches served under child nutrition programs. The amount of commodities offered under this entitlement is determined by multiplying a legislatively set, annually adjusted, "national average value of donated foods" (14 cents for the 1993–94 school year) by the number of lunches served in each State in the preceding year. Section 14 of the NSLA provides one of several mechanisms for the U.S. Department of Agriculture (USDA) to purchase commodities to meet the annually programmed level of support established by Section 6. It requires the Secretary to use Section 32 funds, Commodity Credit Corporation (CCC) funds, or appropriated child nutrition funds to buy commodities for meal programs if sufficient amounts or appropriate types of commodities are not available from agriculturally based Section 32 purchases or CCC acquisitions.[71] The types of commodities offered under the commodity distribution program are determined by the types of commodities available from USDA holdings or acquisitions and the needs of nutrition programs.

Section 32 is a provision of a Depression era agricultural act (the Act of August 24, 1935) that sets aside 30 percent of annual gross customs receipts to promote domestic food consumption, reduce agricultural surpluses, and assist in the food needs of low-income populations. The USDA uses Section 32 funds to mitigate the price-depressing effect of agricultural surpluses by buying commodities and then donating them for use outside regular commercial channels, for instance to domestic food programs. The choice of which commodities to buy is left to the discretion of the Secretary and, in general, Section 32 purchases consist of perishable items that are not easily storable, such as meats, fruits, and vegetables. The USDA often uses child nutrition programs as an outlet for the disposal of Section 32 commodities that are purchased for market reasons. When agriculturally based purchases of surplus commodities are insufficient to fully meet the child nutrition program entitlement, Section 14 of the NSLA requires the Secretary to use Section 32 funds to buy the commodities that are needed.

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[71] Section 14 authority also extends to purchases of commodities for elderly nutrition programs.

Section 14 also requires the Secretary to use CCC funds to buy commodities for child nutrition programs if the food stocks of the corporation are not available for these programs. The CCC is the operating arm of the USDA responsible for carrying out farm price support programs authorized under Section 416 of the Agricultural Act of 1949. It acquires commodities either through direct purchases or through farm loan defaults. These commodities are targeted by Congress as being in need of price support and include items that are less perishable than those purchased under Section 32 authority and that can be easily stored. They include butter, cheese, nonfat dry milk, rice, corn, wheat, soybeans, and honey. Section 416 authorizes the Secretary to make discretionary donations of excess holdings of CCC commodities to child nutrition programs to prevent waste or spoilage. In the event that such items are not available to meet school food program needs, Section 14 of the NSLA requires that CCC funds be used to buy them.

Finally, Section 14 authorizes the Secretary to use funds appropriated from the general fund of the Treasury to purchase agricultural commodities to meet child nutrition program needs, or to make cash payments in lieu of commodities. The types of commodities the USDA buys with these funds are determined solely by the requests of States for items that schools have identified as useful for their meal programs.

B. FINANCING COMMODITY DISTRIBUTION

The so-called "commodity entitlement" for child nutrition programs established by Section 6 of the NSLA is financed in three ways. First, the USDA donates Section 32 commodities it has purchased for market reasons and CCC commodities it has acquired under farm support programs. The authority for these commodity donations is provided under agricultural surplus removal (Section 32) and farm price support (Section 416 of the Agricultural Act of 1949) laws. If the amount of commodities donated under these authorities is insufficient to meet the annually programmed level of support for child nutrition programs, the USDA uses available Section 32 funds to make special purchases of additional surplus commodities for these programs. This authority exists under both Section 14 of the NSLA and under Section 32. Generally, child nutrition programs receive sufficient amounts of donated CCC commodities so that CCC funds are not needed to make special purchases. The costs of Section 32 and Section 416 "donated" commodities are not counted against child nutrition account funds. If the full amount of mandated commodities is not provided by these donations, additional special purchases are made by the USDA with funds appropriated for this purpose and charged to the child nutrition account.

In addition to "entitlement commodities" child nutrition programs also may receive "bonus commodities" from the USDA. These are commodities that are in excess of the amounts required to be distributed to programs. The most common bonus commodities are those held by the CCC, which must dispose of its excess holdings to prevent spoilage or waste. Bonus commodities also may be offered under Section 32 when unplanned purchases are made to meet unexpected surplus conditions. In recent years States have not requested CCC types of commodities as part of their entitlement because these products have been available through "bonus" donations. The costs of bonus commodities are not charged to the child nutrition account.

In FY 1992, $602.3 million was spent to meet the commodity entitlement for child nutrition programs. Section 32 financed $399 million or approximately 67 percent of this cost with surplus commodities. The remaining $203 million needed to meet the entitlement was financed with funds appropriated to the child nutrition account for this purpose. Of this amount, $160 million was in the form of commodities. The remaining $43 million provided cash in lieu of commodities for the child and adult care food program; commodity alternative projects (CASH/CLOC); and USDA administrative costs associated with commodity distribution, a commodity inventory management system, and the system's computer software. In addition, the USDA offered $122.2 million worth of bonus commodities to child nutrition programs in FY 1992. These bonus commodities consisted of $84.4 million worth of CCC commodities and $37.8 million worth of Section 32 commodities. In FY 1992, bonus commodities represented 17 percent of the total commodity support provided for child nutrition programs. The following table provides information on the most recent five years of commodity donations by types of commodities and financing arrangement.

TABLE 17.—VALUE OF CHILD NUTRITION PROGRAM COMMODITIES

[In millions of dollars]

TYPES OF COMMODITIES [1]	Fiscal year—				
	1988	1989	1990	1991	1992
Entitlement Total	$507.0	$490.2	$564.4	$601.3	$602.3
Child Nutrition Appropriation	157.3	182.7	178.2	211.9	203.3
Meat, Poultry, Fruits, and Vegetables	50.1	58.8	75.4	102.2	47.9
Grains, Oils, Peanut Products	71.6	89.3	102.8	109.7	112.1
Cash in Lieu and Other	35.6	34.6	39.5	41.7	43.3
Section 32 Purchases (Includes Meat, Poultry, Fish, and Fruits and Vegetables)	349.7	342.1	350.9	350.9	
Bonus Total	403.8	329.2	110.6	84.3	122.2
Section 416 (CCC) (Cornmeal, Butter, Honey, Flour, Milled Rice, etc.)	347.8	266.7	96.0	65.3	84.4
Section 32 (Meats, Fruits, and Vegetables)	56.0	68.5	14.6	19.0	37.8
Grand Total	910.8	854.0	678.7	688.8	724.5

[1] Not all items shown are offered annually.

Source: U.S. Department of Agriculture, Food and Nutrition Service. Budget explanatory notes for selected years.

C. HISTORY OF SECTION 14 COMMODITY DISTRIBUTION PROGRAM

1. Background, 1935–1972

Within a few years after the Government began distributing surplus commodities to school food programs during the Depression, it became clear that this was not a reliable source of Federal support. Changed agricultural markets and conditions lessened the need for Government acquisitions of commodities by the time the United States entered World War II. Moreover, wartime conditions made whatever commodities were available difficult to transport. In 1944 the Congress approved appropriations of Section 32 funds for cash assistance so that schools would be able to buy foods to make up for declining USDA commodity donations for their meal programs. The initial commodity donations to schools that were later supplemented with this cash assistance formed the basis for the national school lunch program, which was created by Congress in 1946 (P.L. 79–396).

Between 1946 and 1973, school food programs operated with a combination of cash and commodity support from the Federal Government. For most of this period the donation of USDA commodities acquired under farm price support and surplus removal programs permitted a fairly consistent level of commodity support for these programs. By 1972 the USDA was providing an annual level of commodity assistance for child nutrition programs valued at a national average of 7 cents per meal. For 1973, the USDA initially programmed an annual commodity support level consistent with this average. However, by the early part of that year it appeared that commodities would not be available to achieve the originally planned level of support. This was the result of several factors. A large grain deal with the USSR dramatically reduced food surpluses and raised food prices, thus lessening the need for Government purchases of commodities for surplus removal and price support reasons. Moreover, the Administration appeared to be promoting farm policy changes that would have significantly reduced Federal acquisitions of commodities over time and thus eliminated them as a source of Federal support for school meal programs. There also was concern that the Administration wanted to phase out commodity assistance to schools after the 1971 enactment of legislation that transformed the basic (Section 4) school lunch program from a State grant program to a performance-funded program with legislatively specified cash reimbursements for each lunch served. When a cash reimbursement of 8 cents per meal was set in 1972, committee reports on this legislation made it clear that Congress intended this cash to be added to existing levels of commodity support, then set at 7 cents per meal. The USDA denied rumors that it planned to reduce commodity donations as a result of the new cash reimbursement guarantee, and informed Congress that it still intended to provide the full level of commodity assistance for FY 1973. However, the USDA also said that this could not be guaranteed since market conditions governed USDA acquisitions and the level of commodities that would be available for child nutrition programs was entirely dependent upon such acquisitions.

With market prices unusually high, and with the number of school lunches growing rapidly, it soon became clear that the

USDA would not be able to maintain the full 7 cents per lunch level of commodity assistance in FY 1973. States and school food program operators complained to Congress that they were receiving fewer commodities than they had received the previous year. In response, Congress began to take actions that would ultimately lead to the current guaranteed levels of commodity donation to child nutrition programs, irrespective of farm surplus or price support conditions.

2. Adjusting for Commodity Shortages—1973 Legislation

a. Section 6 of National School Lunch Act

On March 15, 1973, the House and Senate agreed to an amendment to Section 6 of the NSLA that required the Secretary to provide cash to make up for the difference between the originally programmed level of commodity support for school food programs in FY 1973 and the actual amount expected to be provided for that year under more current estimates. The lead for this legislation was taken by the Education and Labor Committee on March 1, 1973, when it reported a bill (H.R. 4278). The Senate Agriculture and Forestry Committee reported this bill favorably with amendments on March 12, and a conference agreement was approved by both houses by March 15. The bill was signed into law on March 30, 1973 (P.L. 93–13). Under its provisions, the Secretary was to immediately estimate the amount of commodities that would be available for school lunch programs in the 1973 school year and, if this were less than 90 percent of the amount initially programmed for that year (i.e., 7 cents per meal), to make up the full difference in cash. Financing for this cash in lieu of commodities was to come from the Section 32 account, which was to be later reimbursed by a supplemental appropriation.

b. Agriculture and Consumer Protection Act of 1973 (Precursor to Section 14)

In August 1973, the Congress passed agricultural legislation that included a provision authorizing the use of Section 32 funds through July 1, 1974, to purchase commodities "for donation to maintain the annually programmed level of assistance for schools . . . ," without regard to conditions set by law for the use of these funds (the Agriculture and Consumer Protection Act of 1973, P.L. 93–86). In effect, this provision encouraged the USDA to buy commodities for school food programs with Section 32 funds, rather than use the Section 6 authority in the NSLA to give Section 32 funds to States to make up the difference if the full level of commodity assistance could not be provided from USDA commodity holdings or acquisitions in FY 1974.

c. Section 6 Made Permanent

The National School Lunch and Child Nutrition Amendments of 1973 (P.L. 93–150), enacted on November 7, 1973, again addressed the issue of commodity assistance for child nutrition programs. An amendment to Section 6 of the NSLA made permanent the 1973 1-year provision for cash assistance if less than 90 percent of the "annually programmed level of commodity assistance" were made available to child nutrition programs. As before, this cash assistance was to be financed by the Section 32 account, which was to be reimbursed through subsequent appropriations.

3. Section 14 and a Commodity Entitlement—1974 Legislation

a. Section 14 and Section 6 of the National School Lunch Act

On May 1, 1974, the House Education and Labor Committee reported a bill (H.R. 14354) dealing with agricultural commodities for child nutrition programs. This bill included a new Section 14 that borrowed from the language of the earlier agriculture law (P.L. 93–86) authorizing the Secretary to use Section 32 funds to purchase commodities for child nutrition programs if commodities from surplus purchases were insufficient. Instead of simply authorizing the use of Section 32 funds for this purpose, however, Section 14 *required* it. It also expanded upon the earlier farm law provision by requiring the Secretary to use CCC funds for purchases of price-support commodities needed by child nutrition programs when these types of commodities were otherwise unavailable. This special purchase requirement for child nutrition programs also was extended to elderly nutrition programs. The new Section 14 provision was authorized for 1 year (through July 30, 1975). On May 8, 1974, the Senate Agriculture and Forestry Committee reported a separate bill dealing with commodity availability problems (S. 3459). This bill amended Section 6 of the NSLA to require the Secretary to provide a legislatively specified level of donated commodity assistance (10 cents) for each lunch served.

The final version of H.R. 14354 (National School Lunch and Child Nutrition Act Amendments of 1974, P.L. 93–326) was enacted on June 30, 1974. It included both the 1-year House-proposed commodity distribution program (Section 14) and the Senate provision amending Section 6 of the NSLA to require an average donation of no less than 10 cents worth of commodities for each lunch served. This so-called "commodity entitlement" was a permanent provision of law, and the rate established was to be automatically adjusted for inflation annually. The new law also required the Secretary to give special emphasis to high-protein foods, meat, and meat alternates when delivering commodities to child nutrition programs.

The conference report on this legislation (Report 93–1104) made it clear that cash in lieu of commodities would still be required if the Secretary did not provide the full entitlement in commodity form. It also recommended special arrangements for commodity distribution for States (Kansas was the only one) that had phased out their commodity assistance programs prior to June 30, 1974.[72] The conference report gave the Secretary authority to substitute cash in lieu of entitlement commodities if such States could not rejuvenate their commodity distribution systems in time to receive benefits in commodity form.

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[72] In December 1973 the USDA notified States that commodities for schools and institutions would be sharply reduced or discontinued. Since implementation of a new food stamp program (scheduled for July 1974) also was expected to eliminate direct commodity distribution programs for the poor, Kansas decided to disband its State commodity distribution system. It was the only State to do so.

b. Appropriations

In December 1974, agricultural appropriations for child nutrition programs included language requiring the transfer of an additional $64.3 million of Section 32 funds to the child nutrition account for the Secretary to purchase and distribute agricultural commodities necessary to meet the commodity mandate of Section 6 of the NSLA (P.L. 93-563).

4. Extensions and Revisions—1975-1976 Legislation

a. National School Lunch Act and Child Nutrition Act of 1966 Amendments of 1975 (P.L. 94-105)

In 1975 the Congress approved amendments that extended the Section 14 commodity distribution program through September 30, 1977. These amendments also included a provision requiring the Secretary to include cereal, shortening, and oil products among the commodities donated to the school lunch program. In this law Congress also adopted new provisions concerning Section 6 entitlement commodities. The Secretary was directed to issue specifications for commodity purchases that would not restrict local producers' participation, unless substantial benefit could accrue to the child nutrition programs by so doing. Also, the law required that no less than 75 percent of the commodity entitlement be made available to child nutrition programs in the form of actual commodities. This was the result of continuing concern that the USDA might phase out commodities by making wide use of its alternative authority to substitute cash for unavailable commodities. An exception to the 75 percent rule was made for Kansas. It directed the Secretary to permit any State that had dismantled its commodity distribution system before July 30, 1974, to receive cash in lieu of USDA commodities mandated under Section 6 for as long as it wished. This criteria applied only to Kansas. This provision (Section 12 of the NSLA) made permanent a regulation that temporarily had permitted Kansas to receive cash in lieu of all their school food program commodities until it could reestablish a commodity distribution system for schools.

b. Appropriations

In October 1975, Congress appropriated an additional $80 million of Section 32 funds for the period July 1, 1975 through January 31, 1976, to be used to purchase commodities necessary to meet the Section 6 entitlement (P.L. 94-122). In June of 1976 a transfer of $20 million in Section 32 funds was approved under appropriations legislation for the budget transition period July 1, 1976, to September 30, 1976 (P.L. 94-303). [*Note:* The budget year was changed from a July 1 to June 30 period to an October 1 to September 30 period.]

5. Reauthorizations and Cash in Lieu of Commodities—1977

By FY 1977, inflation had increased the national average value of entitlement commodity assistance to 11.25 cents for each lunch served under the NSLA Section 6 commodity entitlement. The Section 14 authority was due to expire at the end of the year. Some schools were complaining about the timing and types of commodities that States offered them under the commodity program. During reauthorization deliberations, this generated some interest in commodity reforms and the desire of some to expand cash in lieu of commodities to schools located in States other than Kansas. On May 10, 1977, the Education and Labor Committee reported out a child nutrition reauthorization bill (H.R. 1139) that included an extension of the Section 14 commodity distribution authority and some amendments to Section 6 and Section 14 to improve the commodity distribution system and study alternatives (such as cash in lieu of commodities) to it. The Senate Agriculture, Nutrition, and Forestry Committee reported a separate reauthorization bill (S. 1420) on the same legislative day that the House passed H.R. 1139.

The finally enacted National School Lunch Act and Child Nutrition Amendments of 1977 (P.L. 95–166) extended the commodity distribution program through FY 1982 and required the Secretary to establish procedures to assure that donations of USDA commodities would be more responsive to schools' needs. By and large the changes reflected the prevailing sentiment to reform State commodity distribution systems (which most argued were the cause of commodity problems) to facilitate commodity use, rather than to "cash out" commodities. However, a new Section 20 (now Section 18) was added under this law to study alternatives to the existing commodity distribution system. It provided for up to 10 pilot projects that would permit a school district participating in the program to receive all or part of its commodity assistance in the form of cash. [*Note:* Six of these projects still receive cash in lieu of commodities.] Section 6 of the Act was amended to permit schools to refuse a certain amount of commodities (up to 20 percent of the total available, statewide) offered by the State and receive other commodities. This was intended to make States more attentive to schools' needs when requesting commodities from the USDA. Section 14 also was amended to require the Secretary to establish procedures to improve States' responses to school demands for requests concerning the types of commodities needed and the timing of deliveries. Additionally, States were to set up advisory councils consisting of school representatives to advise the State commodity distribution agency on the manner of selection and distribution of commodities. The Secretary also was to provide technical assistance on the use of commodities and to review the cost benefits of providing suitable commodities to schools.

6. Budget Reduction Laws—1980 and 1981

a. 1980 Reconciliation Act

In 1980 Congress passed a comprehensive budget reduction measure that included provisions reducing child nutrition programs by approximately $400 million in FY 1981. This measure, the Omnibus Reconciliation Act of 1980 (P.L. 96–499), extended the Section 14 commodity distribution authority through FY 1984. It also reduced the national average value of donated commodities from 15.5 cents per lunch, the rate that would have applied in the 1981 school year, to 13.5 cents.

b. 1981 Reconciliation Act

In 1981 the Congress again passed comprehensive budget reduction legislation (the Omnibus Budget Reconciliation Act of 1981, P.L. 97–35) that reduced child nutrition program spending (by some $1.5 billion). Among the changes was a reduction in the value of commodities donated to child nutrition programs. This law reduced the commodity rate established by Section 6 of the NSLA from the 16.25 cent commodity rate that would have applied in the 1982 school year to 13.5 cents. The 1981 law also amended Section 14 of the NSLA to add a "commodity only" provision that applied to schools not participating in the school lunch program but eligible to receive USDA discretionary donations of commodities as nonprofit program operators. This provision permitted schools to receive commodities valued at the total of the cash and commodity assistance rates established for school lunch programs for each lunch served. Such schools were permitted to receive up to 5 cents of the per meal value of commodity assistance in cash for the processing and handling expenses related to the use of the commodities.

c. Appropriations—Pilot Projects

The 1981 agricultural appropriations law (P.L. 96–528) approved funding for a demonstration project to analyze two alternatives to the existing method of commodity distribution for school food programs. The two alternatives were: (1) providing cash in lieu of commodities to school districts, or (2) providing "commodity letters of credit" (CLOCs) to enable schools to buy foods that contained specific types of commodities that the USDA distributed under the regular commodity distribution program. This study was funded in response to growing congressional interest in alternatives to the existing commodity distribution system and the lack of conclusive findings on the effects of cash in lieu of commodities by the earlier study. Ninety school districts located in 29 States were involved in the demonstration project; one-third receiving commodities under the regular system, one-third receiving cash in lieu of commodities, and one-third receiving CLOCs. The intent of this study was to discern the efficacy of cash and CLOC alternatives when compared to the existing system so that Congress would have definitive information upon which to base actions on legislative proposals that were being made to promote these alternatives. The study began in the 1981–82 school year with the selection of schools and training of food service staff. Although the initial part was concluded at the end of the 1983–84 school year, the study was extended for an additional year to measure the impact that cash or CLOCs would have on "bonus" commodity distributions.

The study findings were published in 1986. They were not conclusive and Congress continued to debate the issue with sides drawn between those who wanted alternative systems, and those intent on maintaining the existing system. Meanwhile, the pilot projects that had been receiving cash in lieu of commodities or CLOCs under the study were authorized to continue to do so. The first authorization for continuation of this form of commodity receipt for pilot project schools was through FY 1987 under the Farm Security Act of 1985 (P.L. 99–198). This authority was again extended through December 31, 1990, with the enactment of the Commodity Distribution Reform Act and Special Supplemental Food Program for Women, Infants and Children (WIC) amendments of 1987, to include a new subsection under Section 18 (formerly Section 20) of the NSLA. (See discussion of P.L. 100–237.) In 1989, authority for the pilot projects to continue receiving cash in lieu of commodities (CLOC) was extended through FY 1992 under the Child Nutrition and WIC Reauthorization Act (P.L. 101–147). This authority was again extended through FY 1994 with the enactment of the Child Nutrition Amendments of 1992 (P.L. 102–342). This law also extended through FY 1996, the authority for the Advisory council on the distribution of commodities.

7. Reforms, 1986–1992

a. School Lunch and Child Nutrition Amendments of 1986

In the years between 1984 and 1986, the Congress was unable to reach agreement on child nutrition reauthorization legislation and continued funding for the expiring programs (which included the Section 14 commodity distribution program) through annual appropriations laws. In 1986 two bills that amended the NSLA were enacted, one a supplemental appropriations law (P.L. 99–591) and the other a Defense Reauthorization law (P.L. 99–661). Under these laws, which were essentially the same, the commodity distribution program was extended through FY 1989. These laws also lengthened by 2 weeks the amount of time the Secretary had to estimate the amount and types of commodities made available to child nutrition programs. They also authorized $50,000 for cash compensation to school districts participating in the commodity alternative study that had incurred costs, or losses due to a change in the methodology of the study.

b. Commodity Distribution Reform Act and WIC Amendments of 1987 (P.L. 100–237)

This law made a number of changes to the commodity distribution system for child nutrition and other domestic food programs. It included a combination of free-standing provisions and amendments to the NSLA, the Child Nutrition Act of 1966, and the Agriculture and Food Act of 1981. As previously described, this law amended Section 18 of the NSLA to include a provision for continued receipt of cash in lieu of commodities or CLOCs by those schools that participated in the study of these alternatives, through December 31, 1990. It also amended Section 6 of the NSLA to require that State commodity distribution agencies offer *each school food authority* (local agencies responsible for operating the school food programs) the full amount of commodities mandated for each State under the Section 6 commodity entitlement. Formerly the commodity entitlement created by Section 6 was applied for the purposes of determining the value of commodities each State would be entitled to receive. There was no requirement that the State distribute the commodities to school food authorities according to the national average rates.

The free-standing provisions of the 1987 law required the Secretary to develop specifications for commodities purchased for domestic food program use. Additionally the Secretary was to establish an advisory council on the distribution of commodities to recipient agencies, implement a system to provide recipient agencies with options as to package sizes and forms of commodities offered, and establish procedures for monitoring of State agencies. The Secretary also was to provide technical assistance to recipient agencies on the use of commodities. This law also required procedures for replacement of spoiled or stale commodities, set values for donated commodities and charges to schools, and limited to 90 days the delivery period for commodities ordered by the State. Finally, the law required that States use only commercial vendors for all commodity warehousing and distribution unless States could show that the publicly operated system was more cost-effective.

c. Food, Agriculture and Conservation Act of 1990

The 1990 farm law (P.L. 101–624) made a number of modifications to the commodity distribution system changes mandated by the 1987 commodity distribution reform law. Several changes were made to the 1987 law's commercial vendor provisions because of some problems in some States. These included a provision eliminating all programs but child and elderly nutrition programs from the 1987 law mandate that States use commercial warehouses and distributors for USDA commodity distributions.[73] They also included provisions permitting exceptions to the commercial vendor provisions for some schools using their own systems. The 1990 amendments also authorized the USDA to borrow funds from the CCC or section 32 to help States with the initial financing of State option contracts with companies that process USDA commodities into forms useful for schools.

d. Child Nutrition and WIC Reauthorization Act of 1989 (P.L. 101–147)

The 1989 child nutrition reauthorization bill extended authority for the commodity distribution program (Section 14, NSLA) through FY 1994. It also extended authority for schools receiving cash or commodity letters of credit (CLOC) in lieu of commodities to continue receipt in this form through FY 1992.[74] The new law also changed the method for determining the value of commodities mandated under Section 6 of the National School Lunch Act. Such commodity assistance was to be based on meal counts of lunches in the preceding school year, instead of estimates of meals expected to be served in the current year.

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[73] The House Agriculture Committee and Education and Labor Committee could not reach agreement on changing the private vendor mandate for commodity donations to child and elderly nutrition programs. Since the Education and Labor Committee had a claim over legislation affecting child and elderly nutrition programs, the House Agriculture Committee decided not to let this issue hold up passage of the farm bill and applied the change only to those commodity programs normally under their purview (e.g. Needy Families, TEFAP, CSFP).

[74] This authority was extended through FY 1994 under P.L. 102–342. This law also extended authority through FY 1996 for the Advisory Council on the distribution of commodities, which had recommended against extending the cash/CLOC pilot projects.

VI. THE SPECIAL MILK PROGRAM

A. PROGRAM SUMMARY AND DESCRIPTION

The Special Milk Program (SMP) permanently is authorized under section 3 of the Child Nutrition Act of 1966. This program offers Federal funds to States to help pay the cost of milk served to children in public and private nonprofit schools and child care institutions. For the most part, such milk is provided in schools and institutions that do not participate in the school lunch, school breakfast, or child care food program. This milk is available to all children in participating schools, regardless of family income, at a partially subsidized price (known as the "paid" rate). However, schools may offer the milk free of charge to needy children. In this case, schools receive full Federal reimbursement from Federal funds for such milk.

Outlets eligible to receive Federal funds for all or part of the cost of milk served through the SMP are: nonprofit elementary and secondary schools, child care facilities, and similar nonprofit institutions (such as summer camps) that do not participate in federally subsidized meal programs. An exception to the prohibition on participation by schools with lunch and breakfast programs is permitted if such schools have split session kindergarten programs in which meals are not available. In such cases, kindergarten children may receive milk supported with SMP funds.

Milk subsidies are available in two forms. First, in all eligible outlets a basic payment, which is annually adjusted to reflect increases in the Producer Price Index for Fresh Processed Milk, is provided for all milk served to paying children. In the 1993–94 school year this basic subsidy is 11.0 cents per half-pint. Second, eligible outlets may offer milk free to needy children whose family income is at or below 130 percent of the Federal poverty income guidelines ($18,655 for a family of four for the period July 1, 1993-June 30, 1994). In such cases the milk is reimbursed by the Federal Government at its full cost. Unlike the school lunch program, where participating schools must offer free meals to low-income children, the SMP does not require schools to offer free milk to needy children in order to be eligible for program funds.

In FY 1992, 9,811 schools, 355,000 child care facilities, and 2,037 summer camps served 192.9 million half-pints of milk to children under the SMP. The Federal cost of the program in that year was $21.6 million. USDA data show that 891,000 half pints of milk were served on an average day in FY 1992. Only seven percent of this milk was served free to lower income children.

B. LEGISLATIVE AND PROGRAM HISTORY

1. Overview

The SMP began as a temporary program authorizing the Secretary of Agriculture to buy surplus milk for school children with Commodity Credit Corporation (CCC) funds. Today it is a permanent program with separate appropriations from other child nutrition programs. It makes free or reduced-price milk available to all children in nonprofit schools and child care institutions not participating in federally subsidized meal service programs, and to some kindergarten children in schools with such meal programs.

Very early Congress disassociated the program from its initial dependence upon farm surpluses. In 1958 Congress statutorily declared that the program was not to be considered a price support program, and in 1961 it ended the program's need for CCC funds by authorizing direct appropriations. Later, Congress removed the program from the discretionary authority of the Secretary of Agriculture and made it available to all States, the District of Columbia, Puerto Rico, and the outlying territories, at a Federal reimbursement rate specified in law.

Over the years Congress broadened eligibility for participation beyond schools to include nonprofit child care centers, settlement houses, camps, and other institutions providing care and training to children. For most of its history the program could be operated alongside other Federal child nutrition programs. However, beginning in FY 1982 this was no longer permitted, and currently the only schools that may participate in the SMP and school meal programs are those that offer milk to kindergarten children who do not have access to the meal programs because they are attending split session classes.

Throughout the program history Congress consistently rejected proposals to restrict SMP benefits to only low-income children or to geographical areas with high concentrations of low-income children. Instead, it expanded the program to needy children by offering full reimbursement for milk served free to them.

2. Early Origins

Before 1943, Federal assistance to schools for lunch and milk programs depended upon the existence of farm surpluses. However, in passing the 1943 amendments to the Agricultural Act of 1935 (P.L. 78–129), Congress authorized a specific amount of section 32[75] funds for the school lunch and milk programs, without regard to the existence of farm surpluses.

Beginning September 1, 1954, and through FY 1956, the Agricultural Act of 1954 (P.L. 83–690) authorized use of $50 million annually from CCC funds for the purpose of increasing fluid milk consumption by children in nonprofit elementary and secondary schools. When this legislation was enacted, the CCC had been purchasing large amounts of dairy products to boost dairy prices. The new legislation was intended to support milk prices less directly by increasing milk consumption among school children, thus lessening the amount of dairy products the USDA would have to acquire for farm support reasons.

In 1956, this provision of the Agricultural Act was amended by two Acts (P.L. 84–465 and 84–752). P.L. 84–465 increased authorizations to $75 million of CCC funds through FY 1958 and expanded eligibility for participation in the milk program to include children in nonprofit child care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of "underprivileged children on a public welfare or charitable basis." This was the first mention of economic need as a criterion for participation in the milk program, and it was withdrawn shortly thereafter with the enactment of P.L. 84–752. In this law Congress established that the milk program was not to be directed solely to needy children, but instead to all children who could be served with available funding.

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[75] Section 32 of the Agricultural Act of 1935, among other things, guarantees a permanent annual appropriation equal to 30 percent of gross customs revenues to be used by the Secretary of Agriculture under broad guidelines for the purpose of removing agricultural surpluses and assisting low-income households in their food-related needs.

In 1958 the milk program was extended at the previous authorization level ($75 million) for an additional 3 years (through June 30, 1961). Although the law provided that CCC funds were still to finance the program, Congress stated that amounts spent under the milk program were not to be considered as expenditures for price supports. In 1959 legislation was enacted (P.L. 86–10) increasing the authorization for milk provided through CCC funds to $78 million for FY 1959, and $75 million each for fiscal years beginning 1960 and 1961. The passage of further legislation in 1959 (P.L. 86–163) increased the authorization levels to $81 million for FY 1960, and $84 million for FY 1961. Again in 1960, authorizations were increased by P.L. 86–446 to a total of $85 million for the FY 1960 and $95 million for FY 1961. In 1961, the program was extended for 1 year, and its authorization was increased to $105 million.

With the enactment of the Agricultural Act of 1961 (P.L. 87–128) Congress for the first time authorized regular appropriations rather than use of CCC or section 32 funds for the operation of the milk program. No limit was placed on the authorization and the program was extended through FY 1966.

3. Child Nutrition Act of 1966 (P.L. 89–642)

The Child Nutrition Act of 1966 incorporated the SMP as a specific program under section 3 of the Act. The 1966 Act required that the Secretary administer the program in the same way as before, thus retaining eligibility and participation requirements. The program was to be available in the 50 States and the District of Columbia, and was extended through FY 1970 at authorization levels of $110 million for FY 1967, $115 million for FY 1968 and $120 million for each of FY 1969 and FY 1970.

In 1967 the Administration's budget included a proposal to limit Federal reimbursement for milk under the SMP to schools with no food service program or with high concentrations of low-income children. The proposed 80 percent reduction in funding accompanying such a change was rejected by Congress in the 1967 agricultural appropriations, which provided $104 million for the SMP.

4. Changes in the 1970s

The 1970 amendments to the Child Nutrition Act (P.L. 91–295) included a provision making the SMP permanent and authorizing appropriations up to $120 million for FY 1970 and each succeeding fiscal year. In addition, this legislation, which was enacted without the President's approval, extended SMP to Guam. During floor debate on this legislation, unsuccessful amendments were offered to provide that in distributing milk funds, priority be given to children in low-income families. The failure of these amendments indicated that Congress did not wish to place any income-related priority on SMP beneficiaries.

In the 1970 and 1971 budgets, the Administration recommended outright termination of the SMP, maintaining that it was no longer needed because of the growth in the school lunch program. Congress rejected the proposal and appropriated $104 million for both years.

The 1974 Administration budget repeated the 1967 proposal to end the SMP in schools with meal service programs. Rebuffing this recommendation, Congress required the Secretary, in amendments to the National School Lunch Act (P.L. 93–150), to admit to the SMP any nonprofit school or child care institution upon its request. In addition, Congress made eligible for free milk under the SMP all children who qualified for free lunches under the national school lunch program. As a result, such children could receive an extra half-pint beyond that served with their school lunch.

Amendments to the Child Nutrition Act enacted in 1974 (P.L. 93–347) included an SMP provision establishing a minimum rate of reimbursement of 5 cents, annually adjusted to reflect changes in the food away from home series of the CPI, for each half-pint of milk served. The new law also authorized such sums as were necessary for that purpose.

In 1975, the National School Lunch Act and Child Nutrition Act of 1966 Amendments (P.L. 94–105) expanded SMP to Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territories of the Pacific Islands. The law also prohibited program reimbursement in amounts exceeding the outlet's cost for milk served.

In 1977, it was brought to the attention of Congress that administrative problems were being encountered by some schools because of the free milk provision. Reports indicated that the provision of an additional free half-pint of special milk to children receiving free lunches had led to public identification of needy children. In addition, there was some concern (although the later results of the SMP study showed this not to be the case) that the extra cup of milk for children already receiving milk as part of their lunch would be wasted. A number of schools were reported to have dropped the SMP because of these problems. In the 1977 amendments (P.L. 95–166) Congress responded by directing that free milk be provided at times other than meal service in outlets that operated school lunch, breakfast, or child care food programs. Uncertainty over the intent of this language as to whether SMP milk could not be offered at all during mealtimes, or merely could not be offered to those children who received federally subsidized meals at such times, was clarified in remarks in the House floor debate. The intent, according to these remarks, was to avoid having children who were receiving free meals identified by having two containers of milk placed on their trays (one offered as part of the free lunch, and one offered free under the SMP). The language was to apply only to the special milk offered during mealtimes to those children who also received free meals, and the USDA issued regulations adhering to this interpretation.

In the 1978 budget, the Administration recommended that the SMP be limited to schools without feeding programs. It also proposed a block grant, consolidating Federal funding for all child nutrition programs (including special milk) into one grant that States could use for whatever nutrition services they wished. These proposals were not enacted during the 95th Congress, and appropriations continued to fund the SMP at the previous year's level of $155 million.

The Child Nutrition Amendments of 1978 (P.L. 95–627) included a change from the previous limitation on SMP reimbursement for free milk served at mealtimes. Under this law, free milk could be served to eligible children at the option of the school and upon the request of the child. This change allowed outlets to serve free milk at mealtimes, if they chose, while at the same time allowing the child the option of refusing the extra milk. Although the new provision did not mention this change for nonresidential child care institutions, the USDA interpreted the provision to include these outlets, since the SMP was also available to them. In an effort to provide a more relevant adjustment in the minimum reimbursement rate, the legislation also included a provision requiring that the Producer Price Index for Fresh Processed Milk (published by the Bureau of Labor Statistics of the Department of Labor) be used rather than the previously mandated CPI "series of food away from home."

5. *Program Cutbacks in the 1980s*

In 1980, Congress passed the Omnibus Reconciliation Act (P.L. 96–499). Enacted in response to the budget demands of the first concurrent resolution on the FY 1981 budget, this law lowered the Federal reimbursement rate for milk served to paying children in schools that had a federally subsidized meal program. The rate was set and frozen at 5 cents. Reimbursement rates were unchanged for free milk served to low-income children and for milk served to paying children in schools without a meal service program, and they retained protection against price inflation.

In 1979, a similar proposal to reduce Federal spending for the SMP for FY 1980 had been rejected by Congress. However, by 1980 there was growing support for actions to reduce overall Federal spending. Moreover, Congress approved a budget resolution that forced cutbacks of nearly $500 million in child nutrition program funding. The reduction in reimbursements for paid milk in schools with meal service programs was estimated to save a significant portion of the required funding reductions in child nutrition programs ($56 million for FY 1981). Since it did not affect reimbursements for free milk, this modification was not expected to adversely affect low-income children. Moreover, since children in schools with meal programs had access to milk served as part of the school lunch and breakfast programs, the loss of SMP milk in such schools was not expected to substantially reduce children's consumption of milk.

Further pressure for cutbacks in spending for the SMP occurred in 1981, when the Congress enacted budget legislation directing a cutback of nearly $35 billion in domestic spending for FY 1982. The Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35) made changes to child nutrition programs that reduced their FY 1982 funding by approximately $1.4 billion. Among the changes was the elimination of SMP subsidies in schools, child care facilities, and summer programs that participated in federally subsidized meal programs. Since 92 percent of the SMPs were operated by schools with Federal meal service programs, this change dramatically reduced the number of outlets eligible for the SMP. In FY 1981, according to USDA data, 84,641 schools participated in the program. In FY 1982, after meal service schools were excluded, the number dropped to 6,595 schools.

6. Program Restorations

In late 1985, the House passed a child nutrition reauthorization bill (H.R. 7) that, among other things, exempted certain schools with federally subsidized meal programs from the prohibition on SMP participation. The Senate subsequently passed an amended version of the House bill, which did not include the House-passed exemption for meal service schools that wished to serve SMP milk to kindergarten children in split session classes. Early in 1986 House and Senate conferees met to discuss the differences between these bills, but were unable to reach final agreement. Later in the session, an amendment reflecting the consensus of some of the members who had participated in the conference on H.R. 7 was offered to both a continuing appropriations bill and the national defense authorization bill. The amendment included the House SMP provision. The amendment was added to both of these bills, which were passed by the Congress, and thus the National School Lunch and Child Nutrition Amendments of 1988 were passed twice (P.L. 99–591 and 99–661).

For FY 1988, the USDA originally estimated that an additional 142 million half-pints of milk would be served under the SMP as a consequence of the addition of previously excluded kindergarten children in split session programs. The actual increase appears to have been smaller; recent estimates are that approximately 61 million more half-pints of milk were served in FY 1988 than in FY 1987, as a result of the addition of eligibility to split-session kindergarten children. Program participation remained essentially the same in fiscal years 1989 through 1992, varying between 890,000 and 940,000 half pints served on an average day during this period.

TABLE 18.—SMP FUNDING AND PARTICIPATION FOR SELECTED YEARS FROM FISCAL YEARS 1955 THROUGH 1993

Fiscal years	Funding (in millions)	Participation (in millions)
1955	$50.0	
1960	85.0	
1965	103.0	
1970	104.0	
1975	125.0	
1980	156.0	
1981	118.8	
1982	28.1	1.06
1983	20.1	92
1984	11.9	85
1985	17.6	79
1986	11.5	74
1987	17.5	75
1988	22.1	1.00
1989	19.9	94
1990	22.0	90

TABLE 18.—SMP FUNDING AND PARTICIPATION FOR SELECTED YEARS FROM FISCAL YEARS 1955 THROUGH 1993—Continued

Fiscal years	Funding (in millions)	Participation (in millions)
1991	20.4	89
1992	20.8	89
1993 (estimated)	23.0	NA

Note. Budget authority FY1984 and FY1986 amounts shown are lower than amounts fully expended because of remainder of previous years unobligated funds. Constant 1993 dollars for this program are shown in table 5 of this report.

C. PROGRAM CHARACTERISTICS AND EVALUATIONS

1. Characteristics

In FY 1987, 5,744 schools, 354 child care facilities, and 2,237 summer camps served 163.3 million half-pints of milk to children under the SMP. Some 748,000 half-pints of federally subsidized milk were served on an average day in FY 1987, and the Federal cost of the program was $18.3 million. Most of the milk served (96 percent) was subsidized at the paid rate; the remaining 4 percent of the milk was served free to qualifying low-income children. Because SMP schools are not required to offer free milk to low-income children, the distribution of free and paid milk under the program is not an accurate measure of the income characteristics of participating children. Schools may choose not to offer free milk to low-income children because of the application, income eligibility, and verification requirements entailed. Nevertheless, there is evidence to suggest that, in general, most children in SMP schools are from higher income groups than those in schools offering school lunch and breakfast programs.

The National Evaluation of School Nutrition Programs (NESNP) reported that in the 1979–80 school year schools without lunch or breakfast programs tended to enroll students whose families had higher incomes than those in schools with federally subsidized meal programs. Since such schools now represent the primary pool of schools eligible for the SMP, it is likely that SMP schools enroll students with similar characteristics.

A similar conclusion is supported by a May 1979 Congressional Budget Office (CBO) analysis of the characteristics of children participating in various child nutrition programs.[76] The CBO reported that children receiving SMP milk who did not participate in lunch or breakfast programs had family incomes that were higher than those of any other group of child nutrition program participants and that the SMP was more likely to be available to children from higher income families. According to the CBO, 72.2 percent of the children from families with incomes above 195 percent of the USDA poverty guidelines had SMP milk available to them. This compared to 64.1 percent of the children from families with incomes below the 125 percent of poverty and 68.9 percent of the children with family incomes between 125 percent and 195 percent of poverty. The CBO analysis found that 27 percent of the children participating in the SMP, irrespective of their participation in other meal service programs, had family incomes below 125 percent of the poverty level during the survey period.[77]

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[76] U.S. Congressional Budget Office. Distributional Characteristics of Children Eligible for Participation in Child Nutrition Programs; Distributional Analysis of the Administration's Proposal. Memorandum dated Mar. 5, 1979. Like the NESNP, the CBO analysis was conducted prior to the prohibitions on SMP participation by schools with other child nutrition programs.

2. SMP Evaluations

a. 1975 evaluation

The first major study on the SMP was conducted in 1975 and published in 1978 ("Special Milk Program Evaluation and the National School Lunch Program Survey," USDA, FNS–167, June 1978). Conducted before the exclusion of schools with lunch and breakfast programs, this study found that milk was one of the least wasted food products of those served through school feeding programs. Overall milk waste in schools was reported to average 11.5 percent. The concern that the SMP might contribute to milk waste in schools where it provided a second serving of milk, supplementing that provided with the meal, was reported to be groundless. The SMP survey found no difference in milk waste between school lunch program schools with the SMP and those without it (11.9 percent for both).

Among children receiving federally reimbursed milk under the SMP, the 1975 survey showed that only 30 percent also participated in the school lunch program. The remaining 70 percent brought their own bag lunches (43 percent); purchased a la carte lunches (12 percent), ate lunch away from school (9 percent), or reported eating no lunch at all (6 percent).

Schools and other eligible outlets participating in the program may serve milk as often and at whatever time they choose. The SMP study reported that during the sample period (March-April 1975) 45 percent of the schools participating offered SMP milk once a day (primarily at lunchtime); 27 percent offered milk twice a day; 24 percent, three times a day; and 4 percent, four or more times a day. Most of the schools participating (66 percent) served SMP milk at lunchtime; 2 percent served SMP milk at breakfast; and 32 percent served SMP milk at non-mealtimes.

In 1975, Federal regulations provided that in addition to whole milk, outlets could offer milk that was low-fat, nonfat, or skim (all of which may be flavored), and buttermilk. The SMP evaluation data showed 68 percent of the milk served on the survey day to be whole milk; 21 percent, flavored whole milk; 8 percent, low-fat or nonfat flavored milk; and less than 3 percent, low-fat white, unflavored skim or buttermilk.

The SMP evaluation showed that both the national school lunch program and the SMP had increased the level of milk consumption among children participating in the programs. However, the data were not conclusive as to which of the two programs had a greater impact on consumption, since at that time most schools participating on the SMP also participated in the school lunch program. The SMP survey data showed in-school consumption to be significantly higher among children in SMP schools (1.02 cartons or glasses) than among children in non-SMP schools (0.72 cartons or glasses). On a 24-hour basis there was a lesser but still significant difference in consumption by children from SMP-participating schools, who consumed 3.07 cartons or glasses per day, compared to 2.81 cartons or glasses consumed by children from non-SMP schools. However, the survey data also showed greater in-school milk consumption among children in non-SMP schools with the school lunch program (0.93 cartons or glasses) than among children in SMP schools without the school lunch program (0.72 cartons or glasses).

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[77] At the time of this analysis, income eligibility for free and reduced-price meals was 125 percent and 195 percent of the USDA poverty guideline, which was the Federal poverty income guideline, updated through March for inflation.

When no distinction was made as to whether or not the schools participated in both or just one of the programs, in-school milk consumption was approximately the same (1.03 cartons or glasses consumed by children participating in the school lunch program, compared to 1.02 cartons or glasses for children in the SMP). Thus, it is not entirely clear how great the influence of the SMP itself is in terms of increasing children's fluid milk consumption.

b. National Evaluation of School Nutrition Programs (NESNP)

The USDA's NESNP constructed information from students or parents during a 24-hour recall and from school officials. Because there was some confusion among students and parents about whether the milk served was from the SMP, the USDA advised that its findings on the impact of the program should be viewed with some skepticism. In addition, the NESNP data was collected before the implementation of the prohibition on SMP participation by schools with meal programs, so it does not provide insight on the impact of this change on the SMP and its participants.

The NESNP compared students who consumed only milk, purported to be from the SMP, and those who did not participate in any school nutrition program, irrespective of whether a lunch program was available. The majority of students who participated only in the milk program were white elementary school students. Less than 25 percent of the milk-only students were black, Hispanic, or from other ethnic backgrounds. This compares to 33 percent of the students in the full sample. Nearly two-thirds of milk-only participants were elementary students, compared to 50 percent of those in the full sample. Of those participating only in the milk program, the NESNP showed that about 46 percent were eligible on an income basis for free or reduced-priced meals. In the full sample of children surveyed, the comparable proportion of those eligible for free or reduced-price meals was 55 percent.

The NESNP findings showed that children participating in the milk program obtained more energy, vitamin B6, calcium, and magnesium than children who did not participate in the program.

APPENDIX B

[illegible]

United States Senate
COMMITTEE ON
AGRICULTURE, NUTRITION, AND FORESTRY
WASHINGTON, DC 20510-6000

December 10, 1993

Honorable William D. Ford
Chairman
Education and Labor Committee
House of Representatives
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for the opportunity to share with you some of my thoughts on the 1994 reauthorization of child nutrition programs. I would particularly like to address the importance of school meal programs.

Good nutrition can significantly lower health care costs and is a major force in preventing and reducing chronic diseases. Inadequate nutrition can have long term effects on a child's learning ability. The school meal programs represent an opportunity to make a lasting difference in the well being of America's children.

The school lunch program feeds 25 million children daily, over half of them low-income. Low-income children rely on school meals to make up for nutritional gaps in their daily diets. Research shows that children who participate in school lunch have superior nutritional intake compared to their peers who do not participate. Studies also indicate that low-income children receive one-third to one-half of their daily nutritional intake through the school lunch program. For some children school lunch is the only nutritious meal of the day.

The school lunch program should set the right example for proper eating habits, and improving the nutritional quality of meals will have a lasting impact on children. As President Clinton stated in a recent proclamation "[t]here is no longer any question that diet is related to good health, and school meal programs should meet the dietary guidelines for Americans so that children get nutritious meals." Assisting schools in improving the nutritional quality of meals should be a priority for this reauthorization. I look forward to working with you and with the American School Food Service Association regarding this matter.

For many American children, eating a nutritious breakfast is not a regular occurrence. Children who start the day hungry jeopardize not only their health, but their ability to learn as well. The School Breakfast Program helps ensure that children do

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not begin their school day hungry.

A 1987 study examined the effect of the school breakfast program on the school performance of low-income children in Lawrence, Massachusetts. The study found that low-income elementary school children participating in the program showed improved standardized achievement test scores and a tendency toward improved attendance rates and reduced tardiness.

The school breakfast program has been vitally important to low-income children. Whereas over half of students participating in the school lunch program are low-income, in school breakfast that ratio is approximately ninety percent. Unfortunately, over forty percent of schools which offer school lunch do not offer breakfast, leaving nearly two-thirds of low-income children without the benefits of this program.

Millions of low-income children who receive meals during the school year go hungry during the summer. To combat the threat of hunger when school is out, the summer food service program was created in 1968 to provide meals and snacks to children in needy areas.

Unfortunately, summer food participation is very low compared to participation in the school lunch and school breakfast programs. Nationwide, only fifteen percent of the targeted population is being reached by the program. Eliminating barriers to participation in the School Breakfast and Summer Food programs will be important issues to address in reauthorization.

Participation in the school meal programs by low-income children is essential to our nation's vitality and competitiveness. A well-educated and healthy workforce is necessary for our nation to compete in the global economy. Because hungry children cannot learn, child nutrition programs are a vital part of the education process.

I look forward to working with you and your Committee on the reauthorization of the child nutrition programs and other issues in the coming year.

Sincerely,

Patrick Leahy

PATRICK J. LEAHY
Chairman

PATRICK J. LEAHY, VERMONT, CHAIRMAN

DAVID H. PRYOR, ARKANSAS
DAVID L. BOREN, OKLAHOMA
HOWELL HEFLIN, ALABAMA
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RICHARD G. LUGAR, INDIANA
ROBERT DOLE, KANSAS
JESSE HELMS, NORTH CAROLINA
THAD COCHRAN, MISSISSIPPI
MITCH McCONNELL, KENTUCKY
LARRY E. CRAIG, IDAHO
PAUL COVERDELL, GEORGIA
CHARLES E. GRASSLEY, IOWA

United States Senate

COMMITTEE ON
AGRICULTURE, NUTRITION, AND FORESTRY
WASHINGTON, DC 20510-6000

STATEMENT BY SENATOR RICHARD LUGAR
RANKING MINORITY MEMBER
SENATE AGRICULTURE COMMITTEE
DECEMBER 1993

I am pleased to have this opportunity to offer views on the reauthorization of child nutrition programs.

Because of my avid interest in the relationship between good health and nutrition, I have introduced legislation (S. 88) to allow local school lunch professionals to determine the type or types of milk they serve with the school lunch program. Currently schools must offer both whole milk and unflavored lowfat milk to the 25 million students participating in the school lunch program. My proposal reduces federal interference in the school lunch program and helps schools to lower the fat content of the meals served to children.

We now know that there is a connection between diet and good health. High fat intake is associated with higher obesity rates and greater incidence of heart disease, and could be linked to higher risk of certain types of cancer.

This whole milk mandate sends the wrong message to our nation's youth about nutritious diets and healthy eating habits. And this requirement impedes the ability of local schools to make decisions that are in the best interests of the students they serve daily. I must make clear that the legislation I have sponsored does not preclude a local school district from offering whole milk, but leaves the decision in their hands. There may be some children that local professionals determine need whole milk.

My legislation would encourage local professionals to help students choose foods that are lower in fat. One way to reduce fat in the diet is to promote consumption of lowfat and skim milk rather than whole milk. Eating habits developed in childhood tend to continue throughout life. Starting healthful eating patterns early in life will help prevent diet-related health problems later on and will help ease our nation's rising health care expenses.

Finally, eliminating the whole milk requirement is supported by a number of consumer, nutrition and health-related organizations including the American School Food Service Association, Public Voice for Food and Health Policy, the American Heart Association, the American Dietetic Association, the Society for Nutrition Education, the Food Research and Action Center, and the Center for Science in the Public Interest.

I will continue to encourage Senators to cosponsor this legislation and will seek full Senate consideration of the bill during reauthorization of the child nutrition programs.

APPENDIX C

AMERICAN ASSOCIATION
OF SCHOOL ADMINISTRATORS
LEADERSHIP
FOR LEARNING

November 16, 1993

The Honorable William Ford
Chairman
House Committee on Education & Labor
2181 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman:

The American Association of School Administrators, representing nearly 18,000 local superintendents and other school executives, wishes to express our solid support for the reauthorization of the Child Nutrition Programs now before the Committee.

We strongly believe in the value of each of these programs, because a hungry child cannot learn well. We know that often, in high poverty areas, school nutrition programs represent the only balanced and complete meal a child may have all day.

The Committee has always served children well through these programs and we stand with you, again, as you move through the reauthorization process. Please let us know if we can be of assistance, as you proceed.

Sincerely,

Nicholas J. Penning

Nicholas J. Penning
Director of Legislation

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One Massachusetts Avenue, NW, Suite 700, Washington, DC 20001-1431 • 202/408-5505 • FAX 202/408-8072
Resource Center on Educational Equity
State Education Assessment Center

November 19, 1993

The Honorable William Ford, Chairman
Education and Labor Committee
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Ford:

The Council of Chief State School Officers (CCSSO) strongly supports the school nutrition and nutrition education programs, which will be reauthorized (H.R.8) in the next session of Congress.

As a growing body of scientific research makes clear, adequate child nutrition is an essential prerequisite for academic achievement. For schools and educators to meet the expanding educational needs of this country's diverse student population, it is vital that children's health and nutritional needs be met. The school lunch and breakfast programs make an important contribution to meeting those needs.

We offer our support for these programs and look forward to working with you and your Committee during the reauthorization. Among CCSSO's policy priorities is the topic, "Student Success Through Collaboration," through which we address the concrete and practical ways states and school districts can connect health, child care, welfare, housing, juvenile justice and other services to help students and their families achieve eudcation success. Nutrition and nutrition education constitute an essential component of collaboration to assure success for all students.

We appreciate your leadership in the area of child nutrition and education and look forward to working with you and the Administration to review and expand our children's nutrition programs.

Sincerely,

Gordon M. Ambach

President WERNER ROGERS, Georgia Superintendent of Schools • **President Elect** ALAN D. MORGAN, New Mexico Superintendent of Public Instruction • **Directors** ROBERT E. BARTMAN, Missouri Commissioner of Education • JUDITH A. BILLINGS, Washington Superintendent of Public Instruction • BETTY CASTOR, Florida Commissioner of Education • WILLIAM L. LEPLEY, Iowa Director of Education • HENRY R. MAROCKIE, West Virginia Superintendent of Schools • EUGENE T. PASLOV, Nevada Superintendent of Public Instruction • **Executive Director** GORDON M. AMBACH

Council of the Great City Schools
1301 Pennsylvania Avenue, N.W. ◆ Suite 702 ◆ Washington, D.C. ◆ 20004
(202) 393-CGCS ◆ (202) 393-2400 (fax)

November 18, 1993

The Honorable William D. Ford, Chairman
Committee on Education and Labor
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I am writing on behalf of the Council of the Great City Schools, a coalition of the nation's largest urban public school systems, to express our strong and enthusiastic support for the federal school lunch and breakfast programs under the jurisdiction of your Committee. As Congress reviews and debates these federal activities next year, we hope that it will be clear to all that the nutrition and education of our young people depend on the continued strength and funding of these programs.

The poverty rates among children in urban areas are so high that nearly 60% of our inner-city youth are eligible for either a free or reduced price meal. Nutrition has long been recognized as an adjunct to education. Children who are hungry, sick or malnourished cannot learn to their potential. School feeding programs are predicated on the direct link between physical health and learning capacity, and for many years have served successfully as one of the federal government's major weapon's against hunger and ignorance among our nation's youth. Without these nutrition programs, particularly in highly concentrated poor areas like the inner-cities, our fight for a better future for our youth would be doomed to failure. Again, we urge Congress to keep these programs alive and healthy.

Mr. Chairman, the Council thanks you for your continued support of the school lunch programs. If we can be of assistance to you in your work on this or any other area, please do not hesitate to call on us.

Sincerely,

Michael Casserly

Michael Casserly
Executive Director

NAESP

NATIONAL ASSOCIATION OF ELEMENTARY SCHOOL PRINCIPALS

Serving All Elementary and Middle School Principals

November 19, 1993

The Honorable William D. Ford
Chairman
House Education and Labor Committee
2107 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Ford:

I am writing you to reinforce the tremendous importance that the school nutrition programs have on public education. The National Association of Elementary School Principals has heard from many principals across the country who stress to us the importance of school nutrition programs.

These programs are important not only to those students who come from a low socio-economic background, but to all children. We must keep in mind that "hungry" children cannot be successful academically or socially in school. By providing nutritious meals at school we are assured that children and youth are more readily equipped for learning.

I cannot stress enough the importance of a quality nutrition program which is affordable for all youngsters.

Sincerely,

Edward P. Keller
Edward P. Keller
Deputy Executive Director

EPK/ms

1615 DUKE STREET • ALEXANDRIA, VIRGINIA 22314-3483 • TELEPHONE: (703)684-3345 • FAX (703)548-6031

nassp The National Association of Secondary School Principals
1904 Association Drive • Reston, Virginia 22091-1537 • Tel: (703) 860-0200 • Fax: (703) 476-5432

December 16, 1993

The Honorable William D. Ford
United States House of Representatives
Washington, DC 20515

Dear ~~Chairman Ford:~~ Bill

The National Association of Secondary School Principals wishes to express our strong support for the National School Lunch and School Breakfast Programs. We look forward to working with you and your committee in their important reauthorization this coming year.

The nation's secondary school principals believe that these programs play a vital role in the education process by providing nutritious meals to children who might otherwise have limited access to them. We have long believed that it is virtually impossible for a student to maximize their learning potential when they are either hungry or nutritionally deprived.

We hope in your committee deliberations, you will seek to expand the eligibility for these important programs to achieve universality. This would assure that students fearing the stigma of "free lunches" would benefit as they should, and thus, the administrative burden which currently exists in the program would be reduced.

Additionally, we look forward to working with your committee to assure a wide range of foods are available to students in school cafeterias across the country, including access to a la carte lines and other options that give students a range of food choices. As part of this issue, we urge that the statute and regulations surrounding competitive foods remain as it is currently written.

We look forward to working with you and the committee in assuring that these programs fulfill their important mission – that all children have adequate nutrition.

Kind personal regards,

Dr. Timothy J. Dyer
Executive Director

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NASBE
NATIONAL ASSOCIATION OF
STATE BOARDS OF EDUCATION

December 15, 1993

The Honorable William Ford
U.S. House of Representatives
Committee on Education and Labor
Washington, DC 20515

Dear Representative Ford:

The National Association of State Boards of Education (NASBE) supports H.R. 8, the reauthorization of Child Nutrition Programs. Research and practice show that children and youth can not learn if they are underfed or malnourished. The school nutrition programs sometimes provide the only meals that a child receives in a day.

Recently, members of the state board of Michigan testified in Flint, Michigan at a U.S. Department of Agriculture field hearing on school nutrition programs and federal dietary guidelines. They testified that too often children are taught nutrition education but that knowledge is undercut by school nutrition services which contain high levels of fat, sodium and sugar. Access to school nutrition programs must be increased without diminishing the quality of the foods provided.

We look forward to working with you as this reauthorization proceeds.

Sincerely,

Brenda L. Welburn

Brenda L. Welburn
Executive Director

1012 Cameron Street
Alexandria, Virginia 22314

703-684-4000
FAX 703-836-2313

Gene Wilhoit
Executive Director

nea
NATIONAL EDUCATION ASSOCIATION

Keith Geiger, President
Robert Chase, Vice President
Marilyn Monahan, Secretary-Treasurer

Don Cameron, Executive Director

1201 16th Street, N.W.
Washington, DC 20036-3290
(202) 822-7300 Fax (202) 822-7741

GOVERNMENT RELATIONS
Debra DeLee, Director

November 19, 1993

The Honorable William D. Ford, Chairman
Committee On Education and Labor
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Ford:

On behalf of the National Education Association (NEA), representing more than two million education employees, I am writing to offer our strong and enthusiastic support for the reauthorization of the Child Nutrition and the National School Lunch Acts. The School Breakfast and Lunch, Child and Adult Care, Summer Food, and WIC programs are critical to ensuring the health and well-being of millions of children and adults.

NEA believes that the health and nutrition of children should be a national priority. The link between poverty, hunger, child development and the ability to learn has been well documented. Our Members see daily how the school breakfast and lunch programs not only increase students' attention span and learning abilities but also improve their health. Recent research on the school breakfast program found that children who were participants had significantly higher standardized achievement test scores than eligible children who were not. GAO studies have documented that low income children receive one-third to one-half of their nutritional intake every day from the School Lunch program. As our nation moves forward on education and health care reform, we must ensure that these programs receive the funding they need to remain effective.

NEA appreciates your continued leadership and commitment, as well as that of Representative Kildee and Goodling, in championing these important programs. We look forward to working closely with you and the Committee to strengthening and expanding nutrition services for children.

Sincerely,

Debra DeLee

Debra DeLee
Director of Government Relations

The National PTA

National Headquarters
330 North Wabash Avenue, Suite 2100
Chicago, Illinois 60611-3690
(312) 670-6782
Fax (312) 670-6783

Office of Governmental Relations
2000 L Street N.W., Suite 600
Washington, DC 20036
(202) 331-1380
FAX (202) 331-1406

November 22, 1993

The Honorable William D. Ford
Chairman
Committee on Education and Labor
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

On behalf of the nearly seven million parents, teachers, students and other child advocates who are members of the National PTA, I am writing in support of the child nutrition program authorized under the National School Lunch Act of 1946 and the Child Nutrition Act of 1966.

Providing nutritious meals to hungry children was one of the reasons the founders of the National PTA first gathered in Washington, D.C. in 1897. For nearly one hundred years, our members have been working to create, expand, protect and improve the federal child nutrition programs. Currently, the National PTA has positions on: improving the nutritional quality of the foods children eat, including the school breakfast and lunch programs; expanding the availability of nutrition education programs; preserving adequate funding for the Special Supplemental Food Program for Women, Infants and Children (WIC); increasing participation in the Summer Food Service Program; and improving the school lunch and breakfast programs to allow for universal meals provided to children regardless of their family incomes.

Two of the main issues that we believe will be discussed in the upcoming reauthorization of these programs are nutritional quality and access to children from low-income families.

The U.S Department of Agriculture (USDA) recently issued a report on the nutritional quality of the school meals, finding they are high in fat and sodium. However, the study also had other more positive findings that were not widely reported. For example, even though the USDA has never issued regulations requiring school lunches to conform to the 1990 Dietary Guidelines for All Americans--the first set of guidelines to apply to children--44 percent of schools participating in the program had at least one lunch option that met those guidelines.

In addition, USDA's study found that while school lunches are slightly above the dietary guideline goal for fat, they meet or exceed the Recommended Dietary Allowances (RDA) for key nutrients that growing children need. This is extremely important for the millions of children who qualify for free and reduced-price meals because school lunch may be the only meal they eat.

We do not disagree that there is room for improvement, but we must consider the whole picture. Currently, the percentage of calories from fat in the school lunch program is approximately the same as in the diet of the average American. To change these habits, we need to enhance nutrition education efforts in schools, expand training for school food service workers on preparing healthy meals that children will eat, and provide sufficient funding for the program to allow purchase of more fresh fruits, vegetables, and other healthy foods.

More importantly at this time is the issue of access. We believe that all children--if they want to--should be able to eat meals in school. Many needy children do not participate in the school lunch program for fear of being stigmatized as poor, and too many schools still do not serve school breakfast. To improve children's access to school meals, we support continued expansion of the breakfast program and a universal meals program allowing schools to serve meals to children regardless of their family income.

With a universal meals program, breakfast and lunch become just another part of every child's school day, and schools can use the program to improve their overall nutrition education efforts. With better nutrition education, children will learn good eating habits when they are young and retain these habits as adults. The availability of universal school meals would improve learning, because we know hungry children cannot learn to their full capabilities. It would also reduce the administrative burden schools now expend to verify family incomes, freeing school food service personnel to spend more time developing creative menus and improving their programs.

We applaud your efforts, as Chair of the Committee on Education and Labor, to sustain and improve the child nutrition programs. We look forward to working with you and your staff during the upcoming reauthorization process.

Sincerely,

Catherine A. Belter

Catherine A. Belter
Vice-President for Legislative Activity

NSBA

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William M. Soult
President

Thomas A. Shannon
Executive Director

Harold P. Sea
Deputy Executive Director

November 19, 1993

The Honorable William D. Ford
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Ford:

RE: SUPPORT FOR H.R. 8 REAUTHORIZATION OF CHILD NUTRITION PROGRAMS AND NATIONAL SCHOOL LUNCH ACT

The National School Boards Association (NSBA), on behalf of the 97,000 local school board members across the country, supports H.R. 8, reauthorizing child nutrition programs and the National School Lunch Act.

Adequate child nutrition is the foundation of readiness to learn in school and is critical for the achievement of the first National Education Goal. The school lunch program has a tremendous record of success in serving millions of at-risk children across several generations and in greatly improving their prospects for academic achievement, good health, and general well-being.

In this reauthorization, NSBA supports increased assistance for local school districts choosing to start-up or expand school breakfast programs and for child nutrition education programs. We also support measures to simplify student eligibility procedures and reduce administrative and paperwork burdens.

NSBA also supports promotion of the Agriculture Department's Dietary Guidelines, but opposes mandatory, inflexible dietary standards for child nutrition programs as a condition of participation in the programs. We also oppose restrictions on the discretion of local school boards to implement measures to improve the quality, efficiency, and cost effectiveness of school food services such as restricting the use of vending machines or prohibiting privatization of food services.

We look forward to working with you as you draft your legislation for the reauthorization of this important legislation.

Sincerely,

William M. Soult

William M. Soult
President

Thomas A. Shannon
Executive Director

NATIONAL SCHOOL BOARDS ASSOCIATION
1680 Duke Street • Alexandria, Virginia 22314-3493 • (703) 838-6722
FAX (703) 683-7590

APPENDIX D

STATE OF ALASKA
WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF EDUCATION

GOLDBELT PLACE
801 WEST 10TH STREET
P.O. BOX F
JUNEAU, ALASKA 99811-0500

FOOD AND NUTRITION SERVICES

December 14, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary, Secondary
and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, DC 20515-2207

Dear Congressman Kildee:

I would like to take this opportunity to bring the importance of reauthorization of Child Nutrition Programs and their impact in Alaska to your attention. Alaska is a unique state with a land mass of 586,412 square miles and a population of approximately 550,043. It is the only state with a population of less than one person per square mile. Alaskans are young. The 15 - 30 year old age group represents 51% of the state's total population. The median age of Alaskans is 27.4 years, making Alaska's population the youngest in the nation. Of Alaska's population, approximately 87% is non-Native and 13% is Alaska Native.

Alaska's population is both highly concentrated and highly dispersed. Approximately 70% of the population lives in 3 cities: Anchorage, Fairbanks and Juneau. On the other hand, approximately 70% of Alaska Natives live in 220 villages with populations ranging from 25 to 3,500 people. Many of these villages are remote. Alaskans rely heavily on air transportation that is costly and often unreliable due to extreme weather conditions. Passenger airfares and air freight costs are substantially higher in Alaska than in the contiguous United States. There are no roads to the major hub communities, except for Anchorage and Fairbanks. Many individuals live in villages which are isolated from each other by considerable distances and are not connected by roads, although some villages are connected by rivers.

There are 55 school districts in the state with a current enrollment of 117,000 students. Eighty-three per cent of the enrolled students have access to the National School Lunch Program in their school and 42% of these students participate in the program daily. One-third of the schools participating in the National School Lunch Program also participate in the School Breakfast Program. For many of these children, meals eaten at school are the only meals the child receives. In Alaska's harsh climate, food for growth, energy and body heat become critical issues. Agriculture is not an industry indigenous to the state; foods and food products must be shipped or air freighted to all areas of the state for basic survival.

Seventy-five per cent of the schools in Alaska are located in rural villages where at best, a small grocery store is located. Fresh fruits and vegetables, if available in the store, are mainly limited to potatoes, onions, carrots and apples. Some of these villages do not have running water, a safe water supply or proper sewage disposal systems. The average income of many of these rural villages is well below the poverty level. Increasing numbers of households are depending on AFDC and or Food Stamps to provide the staple foods needed. Subsistence hunting and fishing, depending on migrating caribou herds, moose and geese as well as salmon runs, is still the norm to many of the people living in rural Alaska.

Total participation in the National School Lunch Program has increased 14% since 1990 with free participation showing the largest growth of 41% increase. This may be due in part to the direct certification of AFDC and Food Stamp families as well as the impact of the economy. Since 1990 the average number of food stamp as well as AFDC families has increased approximately 40%. School breakfast participation has increased 27.9% with a 32.6% increase in free participation since 1990. Child care lunches have increased 11.3% since 1990 with a 25.5% increase in free meals served. Lunches served by Family Day Care Home providers have increased 14.7% in the same period.

Increasing participation and program access in all the Child Nutrition Programs is the top priority in Alaska. The Summer Food Service Program would be more attractive to potential sponsors if the reimbursement rates for Alaska were adjusted to better defray program costs. The school and child care programs are reimbursed at a rate adjusted for Alaska's cost of living but as yet the Summer Food Service Program is reimbursed at the same rate as the contiguous United States. An increased reimbursement rate for rural areas in all Child Nutrition Programs in Alaska would better assist the sponsor to meet higher labor, food and transportation costs of the bush, thus making the reimbursement more equitable with the purchasing power in the contiguous states.

Alaska is in support of permitting for-profit child care centers with 25% free and reduced price eligible children to participate in the program. The State of Alaska does not use its Title XX funding for day care services. Therefore, there are no proprietary centers participating in the Child and Adult Care Food Program. Of the 238 licensed child care centers in the State (excluding Head Start and military bases), only 39% participate in the Child and Adult Care Food Program. Opening participation to proprietary centers serving a minimum of 25% low income children is an important issue to the child care community in this state. Currently the majority of the proprietary centers do not provide meals or snacks but rely on parents to provide their child's meals for the day. This often results in children receiving meals of minimal nutritional value. The availability of the Child and Adult Care Food Program to all child care centers serving low income children will allow nutritious meals to be served to children who need them the most whether they are cared for in licensed day care homes, nonprofit centers or proprietary centers.

Equally vital to the continuous support of the Child Nutrition Programs is to define, enhance and support the nutrition integrity of the programs for the sponsors as well as the public. As you know, the United States Department of Agriculture has placed a strong emphasis on the fiscal accountability of the Child Nutrition Programs in the last five years. The current prescribed review structure, the Coordinated Review for the National School Lunch Program, is centered around the accurate counting, claiming and reporting system of meals, by category, served to eligible children. It is imperative that the basis of these programs be founded and modeled on nutrition standards which support the nutritional well being of our nation's children, the original intent of the program. It behooves us to support the nutritional well being of our children and to provide exemplary nutrition education as part of a healthy lifeskills emphasis as well as to provide nutrient dense food choices to support optimum growth and development in our country's future stakeholders.

Alaska shares your concern and support for the reauthorization of the Child Nutrition Programs.

Sincerely,

Kathleen Hays, R.D.
Coordinator

Arkansas
DEPARTMENT OF EDUCATION
4 STATE CAPITOL MALL • LITTLE ROCK, ARKANSAS 72201-1071 • (501) 682-4475
GENE WILHOIT, Director, General Education Division

December 10, 1993

The Honorable Dale Kildee
Chair, Subcommittee on Elementary
 Secondary and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, DC 20515-2207

Dear Congressman Kildee:

The 1994 reauthorization of child nutrition programs provides an opportunity to reverse alarming trends and return their emphasis to the health and education benefits for all children which they were originally designed to provide. Secretary of Agriculture Mike Espy has said school lunches are as important as books. Surgeon General Joycelyn Elders has said it is not enough for only 56% of students to eat school lunches. A growing number of health, education and advocacy groups are promoting school lunch, school breakfast and nutrition education and training (NET) programs as important to learning readiness, health promotion and disease prevention. These are important goals for all students.

School meal programs provide an opportunity to shape the nutrition habits of future generations. As you know, I am convinced the best way to promote healthful eating among students is to provide a Universal Student Nutrition program which is adequately funded, efficiently administered, and totally integrated into the education day. It is an investment we should make as soon as possible.

As a minimum, the 1994 reauthorization legislation should provide for one "reinvent school lunch" grant to each state. These grants should be entrepreneurial in nature, providing school administrators, community leaders and school nutrition directors the opportunity to focus on health and education outcomes in settings as free of barriers as they make them. The results of such grants would be useful in assessing cost-benefits and in identifying strategies that build strong local support.

Arkansas currently has 70% of students participating in the school lunch program. Three states, Louisiana, Georgia and Mississippi, have more than 80% of students benefiting from this program. Unfortunately, ten states have less than 50% participation and twenty states have less than 60%. Why?

Reimbursable school lunches are not fully funded. Local and state funding has shrunk as much as federal funding. Increasingly school food service programs are forced to operate as a business within the school building, providing only the level of service they can fund.

STATE BOARD OF EDUCATION Chairman - ELAINE SCOTT, Little Rock •Vice Chairman - RICHARD C. SMITH, JR., Tillar
Members: CARL E. BAGGETT, Rogers •WILLIAM B. FISHER, Paragould •JAMES M. LLEWELLYN, JR., Fort Smith •JAMES A. McLARTY III, Newport
•RAE RICE PERRY, Arkadelphia •SHERRY WALKER, Little Rock •NANCY M. WOOD, Little Rock
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Unfortunately this often leads to management practices designed to enhance the financial bottom line more than the nutritional bottom line.

We need to restore the funds cut in the 1980 and 1981 OBR Acts, regulate indirect costs and re-direct local efforts from excessive paperwork to healthful eating. We need full appropriation for the NET program and increased assurance that it will integrate knowledge from the classroom into experience in the cafeteria.

The school breakfast program has had a 47% participation increase in Arkansas during the past four years. I believe this can be attributed to adequate federal funding, promotion of the program through start up grants, and strong local and state support for school breakfast as a key to learning readiness. These strategies could also revitalize school lunch.

I appreciate your strong leadership and the good start you have made toward reauthorizing child nutrition programs through the introduction of HR 3580. I look forward to the addition of the items discussed in this letter. We must pass landmark legislation that will change the direction of child nutrition programs and once again make them full partners in the health and education of the nation's children.

Please call on me if I can be helpful in any way.

Sincerely,

Dorothy Caldwell

Dorothy Caldwell, MS,RD
Director, Child Nutrition

DRC:cd

Arizona
Department of Education

C. DIANE BISHOP
Superintendent

December 22, 1993

The Honorable Dale Kildee
Chairman Subcommittee on
Elementary, Secondary, and
Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, DC 20515-2207

Dear Congressman Kildee:

Thank you for your interest in Child Nutrition Programs and the previsions being recommended in H.R. 3580. I appreciate the opportunity to offer recommendations which will be considered as Congress and the United States Department of Education and Agriculture formulate policy changes and regulations regarding Child Nutrition Programs.

Child Nutrition Programs have a significant impact on the health and education needs of children in our state, and we strongly support preventive practices which allow children to reach their full potential. Both the National Goals for Education and Healthy People 2000 have a shared objective; an improved health status to promote cognitive learning and behavioral skills for children.

Arizona's initiative to strengthen early childhood education and provide service to those students who are at risk for academic failure continue to be successful, and we are grateful for the reimbursement and administrative funds available to states. Through the Child Nutrition Programs thousands of children benefit. In FY '93, the Arizona Department of Education administered seven of the Child Nutrition Programs reimbursing $98 million in federal funds. 87 million meals and 8 million snacks were served, 15 million dollars in USDA commodities were distributed, and 130 thousand dollars for the Nutrition Education and Training (NET) Program.

• 1535 West Jefferson, Phoenix, Arizona 85007 •
602-542-4361

The School Lunch Program operates in 92% of Arizona's public schools. Each day about 323,540 students receive the benefit of a school lunch. This number represents 57% of the student population. 47% of these students are from families with incomes at or below poverty. School Breakfast Program expansion successfully continues. The average number of children eating breakfast at school each day has increased 54% in three years. The average daily participation in FY '93 was 96,635.

Arizona school administrators are keenly aware of the value of school lunch and breakfast as an integral part of the education process. They recognize the importance of the service provided to students and their families. While many benefits are being realized, administrators are sensitive to the socioeconomic factors and life-style behaviors which influence students' menu selection and the amounts eaten during the school day. In many cases, these factors and behaviors affect a child's ability to learn.

During the September 1993 meeting, the Arizona State Board of Education adopted a resolution to endorse the establishment of an infrastructure which will assist in building healthier schools and communities. Recognizing that the learning process is influenced by the health status of a child, the Board supports the creation of a comprehensive health program. The resolution is a first step toward the goal of improving the health status of children. For the resolution to be successful, it will require schools and their communities in partnership with local, state and federal governments to enhance school health instruction, school health service, school environment, school food services, physical education, school counseling and psychological service, health promotion for staff, parent and community.

In regard to the nutrition objectives of the School Lunch Program, the results of a Dietary Guideline survey conducted in our state indicated that 90% of Food Service Directors have increased variety, or decreased sodium, sugar, or fat in their school lunches. When asked to indicate important changes for improving the overall quality of the school lunch, 79% indicate a need for more lower-fat commodities from USDA; 77% indicate a need for more reasonably priced low-fat food from vendors; 73% indicate a need for more nutrition education in the classroom; 73% indicate a need for greater availability of low-fat receipts. 56% state that there are financial pressures on the program to be self-supporting; and 57% state children often prefer foods high in fat.

BEST COPY AVAILABLE

In the development of policy and regulatory changes, we offer for your consideration the following recommendations:

1) Identify the reasons for non-participation. Approximately 40% of students do not participate in the School Lunch Program. Design changes which would provide incentives for schools and students to participate;

2) Identify profiles of successful implementation of school feeding programs. Many ideas could be gleaned from USDA's Best Practice Awards given to schools in 1992 and 1993. Chandler Unified School District in Arizona was a 1992 national winner; and four additional Arizona schools were Regional winners. Factors to consider in the development of the profiles may include the number and expertise of staff available for implementation of the programs, the nutrition knowledge of students and staff, staff development, procurement practices menu planning skills, and method of meal service, distribution systems for foods, nutrition and related information, and marketing strategies. We recommend that in partnership with USDA and other interested groups, we build on successful practices not only in the School Lunch and Breakfast Program but also in the other Child Nutrition Programs;

3) Study the National Food Service Management Institute's and the American School Food Service Association's Nutrition Integrity concepts and standards in relation to current regulations, identifying weaknesses, and develop regulations which will vigorously increase implementation of these standards;

4) Increase funding for the Nutrition Education and Training (NET) Program and promote the appropriate components of the NET Strategic Plan as a part of the comprehensive school health program;

5) Revise the regulations for the federal State Administrative Expense funds to allow dollars for warehousing, distribution and administration of the Food Distribution Program. The funds could also assist in the speedy distribution of USDA fresh produce. Currently, Arizona recipients pay a "per case handling fee" for the costs of administering, warehousing and distributing USDA foods;

6) Consider a revision of the criteria used to determine reimbursement rates. We recommend projected labor costs, the consumer price index, the cost for implementing the Dietary Guidelines in menu planning, menu service, nutrition education and other pertinent indicators be used. The results of the USDA Meal Prices and Reported Meal Cost study should provide useful guidelines to assist in determining meal reimbursement rates; and

e Honorable Dale Kildee
ecember 22, 1993
Page 4 of 4

7) Remove the inconsistencies between programs in menu requirements, cost accounting, and financial accountability, especially where the school or agency is operating the School Lunch Program, Year-Round Summer Food Service Program, Summer Food Service, and the Child and Adult Care Food Programs. Specific details are included in the recommendations for the 1994 Reauthorization.

The Council of Chief State School Officers in the "Eat to Learn and Learn to Eat," report state that "public and private programs are in place that address the nutrition status of children and their ability to learn; however, their impacts are compromised by underfunding, red-tape, and misconceptions about their intent and benefits." The report recommends five action steps which we support. One of these action steps is "promoting the interconnectedness of children's health and ability to learn in school so that programs in these areas collaborate and coordinate their efforts."

Thank you for this opportunity to share our perspective on this important issue.

Sincerely,

CDiane Bishop

C. Diane Bishop
Superintendent of Public Instruction

CDB:ja

c: Mike Espy, Secretary of Agriculture
Ellen Haas, Under Secretary of Agriculture
Sharon Levinson, USDA

CALIFORNIA DEPARTMENT OF EDUCATION
721 Capitol Mall; P.O. Box 944272
Sacramento, CA 94244-2720

December 9, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on
Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

The overarching objective of our child nutrition programs is to reduce hunger in America by providing access to nutritious food and the tools for children to make healthy choices. The relationship between nutrition and learning is well documented: good nutrition improves academic performance. It is clear that positive experiences with food at early ages shape positive and healthy eating habits and behaviors for a lifetime. Sound nutritional habits also reduce the incidence of chronic disease later in life. Our child nutrition programs contribute immeasurably to this end. These programs offer millions of children the daily opportunity to eat nutritious foods and learn healthy, life-long eating habits. However, our objectives will not be reached without significant change.

As the largest child nutrition program in the country, California has over 91 percent of its public schools participating in the National School Lunch Program. Each day, over 2.2 million lunches are served to children who represent 44 percent of the average daily attendance in California's public schools. Over 70 percent of the students who eat school lunch are eligible for free or reduced price meals. In the California Child Care Food Program, nearly 3,000 child care centers and 26,000 day care homes participated, serving approximately 145 million meals and supplements during 1992-93. In child care centers, 76 percent of the meals were served to children from low-income families. We also served nearly 833,000 meals to adults at 60 day care sites in 1992-93.

It is important to educate all Americans on making wise food choices. Children's behaviors and preferences are influenced by the nutrition messages they receive from parents, television/media, peers, health providers, food industry, child nutrition programs, and others. Many of these behaviors and preferences are established before children reach kindergarten. Currently, these messages are often inaccurate, conflicting, or inconsistent. A national campaign, modeled after the seat belt safety and antismoking campaigns for example, will insure consistent, positive, nutrition messages that are directed toward educating children to make wise lifelong food choices. It is important that this effort involve all federal agencies concerned about comprehensive health. It would be a powerful force for change if these agencies spoke in one unified voice.

A second needed change is to allow Nutrient Standard Menu Planning (NSMP) as an option to providing nutritious meals in school and child care settings.

In California, NSMP has been piloted with coordination and assistance from USDA staff. NSMP is an alternative method of menu planning to insure the nutritional quality of school meals. This method uses a computer to analyze nutrients of school meals served over a week's time. This allows the school to determine that the daily average of meals served meet the required recommended dietary allowances and the dietary guideline targets. NSMP has great potential for providing a cost-effective menu planning alternative that promotes nutrition integrity in child nutrition programs. It also provides flexibility in meeting children's needs and preferences and has been an effective marketing tool with parents, teachers and students.

An essential component in using NSMP is adequate training and nutritional expertise, including a mandatory review by a registered dietitian to insure nutritional integrity. We applaud USDA's efforts to encourage demonstration projects to test this concept nationwide. However, as a next step schools should have the option of using nutrient standard menu planning as an alternative approach.

Another area that must be changed is the Coordinated Review Effort (CRE). CRE is the existing compliance review mechanism for child nutrition programs. It is heavily weighted toward accountability measures, such as reviewing eligibility applications and meal counting procedures. Unfortunately, there is relatively little attention given to nutrition issues in CRE. Although our programs must be held accountable, it is vital that the emphasis be shifted to focusing on monitoring for program quality. There is a direct relationship between a quality nutrition program and student participation: high quality programs have high participation. Our schools are more likely to achieve high standards on activities that they are evaluated on rather then those they are not. To reflect the emphasis on nutrition objectives, the CRE name should be changed to "Nutrition Integrity Standards Review"; Standards for Nutrition Integrity should be established; and review areas that support the implementation of the nutrition objectives should be substituted for current "critical area" administrative processes. Changing CRE to evaluate outcomes rather than on administrative processes will allow our programs to better meet dietary guidelines.

An additional area requiring change is that families in need must currently meet a different means test for nearly every federal program. The means test for school lunch is different than the test for Head Start. AFDC has other criteria, as does medicaid, etc. Eligibility requirements for all federal assistance programs should be standardized. A family that qualifies for one program would be best served by automatically qualifying for another. It is senseless to continually fill out an endless stream of paperwork to qualify for federal benefits. The Secretaries of USDA, Education, and Health and Human Services should be required to jointly convene to develop common eligibility forms and criteria for all federal means tested programs. A common framework will insure consistency across federal programs.

Finally, there are many additional issues that we believe require serious attention by your committee. We have detailed these and other issues in our letter to you, dated October 22, 1993. These include the importance of discovering critical methodologies that will significantly reduce paperwork, improve access, increase participation, or result in significant program improvements. Existing highly prescriptive burdensome regulations prohibit creative thinking that is needed to bring about changes so that new methodologies may be tried. Paperwork must be reduced and regulations lifted or a waiver provision added. Our goal should be to limit regulations to one or two pages; expanding the income range for free meals eligibility will allow the ineffective reduced price category for all grades to be eliminated; instituting negotiated rule making will make the process more sensitive to the customers; authorizing a snack in the National School Lunch Program for all sponsors will facilitate use of schools for much needed after school hours child care on school sites.

An important cost-saving measure for state and local agencies in the Child Care Food Program would be to forgive under $600 in compliance errors. The cost to collect smaller amounts is prohibitive. An additional cost-saving measure would exempt adult care institutions from the duplicate effort of collecting eligibility information when care services are paid for by Title XVI or XI of the Social Security Act and all Head Start recipients, regardless of income, must be given eligibility for free meals in child and adult care food programs.

In the commodity area, forward funding commodity program purchases would enable USDA to make purchases at the time when prices for many farm products are frequently at their lowest point (that is, the peak of the harvest season). This could significantly increase the volume of product purchased without any additional cost to the commodity program.

Thank you for taking an interest in improving our important child nutrition programs. We face an opportunity to significantly improve access to these programs, to increase participation, to make significant program improvements, and to insure nutrition integrity for years to come. I look forward to working with you and your staff in developing quality changes.

I would be happy to discuss nutrition and other issues with you at your convenience. Please feel free to call me at (916) 322-2187.

Sincerely,

Maria Balakshin

Maria Balakshin, Director
Child Nutrition and
Food Distribution Division

MB:jm

STATE OF COLORADO

COLORADO DEPARTMENT OF EDUCATION
201 East Colfax Avenue
Denver, CO 80203-1704
FAX (303) 830-0793

William T. Randall
Commissioner of Education
Richard A. Laughlin
Deputy Commissioner

December 13, 1993

The Honorable Dale E. Kildee
United States House of Representatives
Washington, DC 20515

Dear Mr. Kildee:

The Child Nutrition programs have a long-standing history of success in the delivery of healthy, nutritious meals, and nutrition education opportunities for the children in Colorado and throughout the nation. Continued success relies upon being proactive, and responding to changes in the environment in which the programs operate. Changes in technology, society, economics, and the political arena are but a few of the dynamic factors influencing our programs. We welcome the renewed interest that the United States Department of Agriculture (USDA) is demonstrating relating to continued and improving program quality.

The relationship of nutrition to learning is nothing new to those in our industry. The major challenge still lies before us, that of fully integrating the value of the Child Nutrition programs with a child's educational day. A strong effort must continue to fully and adequately incorporate nutrition as a required component of every school's curriculum. To successfully link education, nutrition, and the Child Nutrition programs toward the common goal of healthy, well-nourished children ready to learn, will require a carefully coordinated effort involving all stakeholders: educators, child nutrition professionals, state educational agencies, school administrators, USDA, community, parents, and students.

In Colorado, over 275,000 children receive a lunch each day; but it should be noted that we have yet to reach the number served prior to the devastating budget cuts of 1980 and 1981. Program growth in the past few years has accelerated, especially in the School Breakfast Program (SBP), and the Summer Food Service Program for Children (SFSPC). Increased outreach efforts have prompted SFSPC growth to over 16,000 children daily, and SBP growth to over 35,000 daily. Colorado has received SBP Start-up Grant dollars, and they have been very effective in our outreach efforts.

Many Colorado school districts have already taken a leadership role in implementing the dietary guidelines, and have had great success with strategies to reduce fat, sugar, and sodium. These efforts must be recognized, and brought to the forefront as exemplary programs to continue to promote program improvement.

The following are essential recommendations necessary for program enhancement and improvement:

Dietary Guidelines

We are in agreement that meals served in the programs reflect the dietary guidelines. We must be careful, however, to recognize that program meals account for only part of what a child eats over a period of time. Any proposed changes to the meal patterns must reflect this fact, and must be directed to helping meet the guidelines *over a period of time*, not just a single meal. The expected increase in costs associated with implementing the dietary guidelines must be fully funded with the additional dollar and other resources needed. The implementation time frame must reflect the training time necessary for parents, students, food service staff, and teaching staff; and should also be tied to the degree and pace of acceptance by the students.

In order for the Child Nutrition programs to be used as a learning laboratory for students, it must be funded at a level that it can truly be a learning experience. Just as a teacher does not expect to see perfect 100 percent papers from all students in classroom assignments as the only indicator of success, neither should 100 percent consumption of meals be held as the minimum standard of success in the Child Nutrition programs. In addition, the funding of the programs should be at a sufficient level that program operators do not feel compelled to compromise sound nutritional offerings with the sale of foods of minimal nutritional value in order to help keep their program solvent.

Decisions on how to best implement the dietary guidelines and any other changes necessary for a healthy diet should be research-based. Research needs to be explored on the eating patterns of children, and modifications in the meal patterns based upon research findings as they relate to children.

As program meals account for only part of a child's diet, it is imperative that nutrition education and nutrition guidance be directed to, and provided for, parents. Resources must be made available to deliver the tools and training to parents, the community, and industry. Public service announcements that promote healthy eating habits must be implemented by USDA to counteract the negative effects of today's high budget fast food advertising geared to kids.

Allow for nutrient-standard menu planning to expand, providing technical resources and training for eventual implementation nationwide.

Additionally, child nutrition professionals must be provided adequate training in implementing the dietary guidelines, meal pattern requirements, menu planning, and food preparation. The training must be geared to adult learners, and reflect the wide range of skill and education levels present in the industry. Materials, including the Food Buying Guide, Menu Planning Guide, and Quantity Recipes must be updated, and be included as an integral component of future automation efforts.

Eliminate the whole milk requirement for children age two and older, as it is contradictory to the guidelines.

Outreach/Eligibility

The goal of universal child nutrition programs for ***all*** children must continue to be stressed. Removal of the welfare program stigma must be achieved. Pilot programs should be continued and expanded, and adequate resources sought for national implementation. An approach that would bring about full universal implementation over a period of years is recommended, as that would allow for identifying funding sources as well as enable local districts to best respond to the impact of the increase in the number of meals served. It is recommended that the process begin by targeting the elementary level.

Eligibility criteria for the SFSPC should be reduced to 40 percent, in keeping with that for severe need SBP status.

Continue with SBP Start-up Grants, as they have proven to be very effective.

General

Create a seamless Comprehensive Child Nutrition Program; combining lunch, breakfast, milk, after-school, child and adult care, and summer programs into one program with consistent nutritional and administrative requirements.

Provide for eligibility determinations for free and reduced price meals to be shared with local school officials within the educational realm with appropriate confidentiality assurances. Very little cooperation between USDA and the United States Department of Education has been observed. Those in the educational community needing this eligibility information should be responsible for the cost associated with collecting maintaining this data for their programs.

Eliminate the cost basis for severe need breakfast reimbursement eligibility, as it is an unnecessary administrative burden.

Eliminate the cost basis for SFSPC program reimbursement, as it is an unnecessary administrative burden, and combine operational and administrative reimbursement rates into singular rates similar to the lunch and breakfast programs.

Implement Offer vs. Serve in the SFSPC.

Seek permanent authorization for the Nutrition Education and Training Program, and establish two-year grant awards with full year carry-over of funds. Expand authorized funding levels to $30 million, and actively promote and pursue full appropriation.

Increase the dollar value of donated foods made available, and include an indexing factor similar to the cash reimbursement rates for the NSLP, SBP, and SFSPC for future year entitlements. The nutritional content of what is offered should be improved, with easily understood nutrition labeling accompanying them. Develop minimum nutritionally sound standards that will be used in the purchase of commodities, as well as those processed into more convenient forms at the national and state level.

Provide for commodity letter of credit (CLOC) for the purchase of fresh fruits and vegetables at the local level. Local distributors are the only realistic delivery vehicle for these products due to their perishable nature.

Provide for *additional* SAE funding for food distribution.

Provide for full SAE funding at the 1.5 percent level, with a 50 percent carryover provision.

The Coordinated Review Effort (CRE) process should be dropped and reevaluated. The recent concentration on accountability has forced state agencies to direct resources away from areas that address overall program quality and original program intent, and instead focus on "bean-counting" to the point of redundancy. Allow states the flexibility to monitor programs according to locally identified priorities (of which accountability has always been), and better direct the limited resources to training and technical assistance. The Colorado Department of Education prides itself on its high quality professional staff and the high level of technical expertise, a resource that is best used to assist sponsors in operating top quality programs.

School food service operations in Colorado, and across the nation, are increasingly being considered as revenue sources to fund other school district activities due to the funding crisis for education. There is a disturbing trend of school district administrators recovering indirect costs from food service, resources that food service operators can hardly afford to lose. Loss of these dollars to indirect cost recovery severely limits the ability to fund program enhancement and improvement activities, and could adversely affect the State Revenue Matching requirement for Colorado, as we have no direct cash appropriation of state dollars. Consideration should be given to curtailing or eliminating indirect cost recovery. Perhaps limiting recovery to those operations whose net cash resources exceed a certain amount, or directing recovered amounts only to nutrition/health curriculum efforts.

The Clinton administration has clearly identified the nation's health as a high priority item, and our programs fit right in with that effort. Secretary of Agriculture Espy, and Assistant Secretary Haas have also targeted Child Nutrition programs as high priority programs. To achieve the goal of highly effective quality programs with a clear focus on nutrition will require a team effort. USDA must concentrate on the training of its own staff at the national and regional levels in the areas of nutrition and program quality, as all too few of the existing staff have the skills necessary to assist states in carrying out this effort.

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The new administration at USDA on one hand appears to be heading in the right direction, asking for input on how to best improve our ability to deliver a quality product to our customers, the children. The single issue tactic exhibited at the press conference in October, however, does not support the team concept, is a blatant disservice to the positive efforts of child nutrition professionals, and can only serve to widen the gap between the realities of actual program operations and ivory tower bureaucracy. It is vital that USDA part with the "rhetoric for the sake of the press" tactics, support and recognize positive program achievements, and work with us as a partner toward constructive program improvements. Only then can we best serve the children.

Sincerely,

Daniel C. McMillan
Director
Child Nutrition/Transportation

DCM:ams

FLORIDA DEPARTMENT OF EDUCATION
Betty Castor
Commissioner of Education

December 6, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on
Elementary, Secondary, and
Vocational Education
House Education and Labor Committee
2233 Rayburn House Office Building
Washington, DC 20515-2207

Dear Congressman Kildee:

Existing child nutrition programs are extremely important to children, youth and adults in Florida. Various hunger coalitions view them as the primary strategy for eliminating hunger. We all know there is a direct correlation between good nutrition, the health and well being of all students and their success in school.

Floridas' school lunch program is the countrys' fourth largest, serving about 1.1 million students daily and the school breakfast program serves about 290,000. School lunch is mandated in all public schools. School breakfast is mandated in all elementary schools and is supported by a substantial State revenue appropriation ($8.4 million). Eighty-five percent of all public schools have a breakfast program. The breakfast program has grown by 39% since the inception of the mandate. About 41% of students enrolled in public schools are eligible to receive a free or reduced price meal.

My comments concerning HR 8 are based upon the findings of the School Food and Nutrition Task Force appointed by the Commissioners of the Florida Department of Education and Florida Department of Agriculture and Consumer Services, in conjunction with the Florida School Food Service Association. The Task Force was charged to investigate the quality of foods and beverages made available to students in public schools.

Nutrition integrity in schools is one of the most serious problems confronting the school lunch and breakfast programs in Florida. Pressure to have these programs pay for themselves many times results in a la carte offerings of low quality. There is continuing pressure from the fast food industry and competitive food sales in schools. Our food service directors see nutrition education as vital to influencing food choices of students. Pilot projects will be conducted January through May, 1994 in an elementary, middle and senior high school to determine the impact on cost and participation that concentrated promotional, marketing and education efforts have in influencing food choices consistent with dietary guidelines.

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Page two
Congressman Kildee

A second major problem in Florida is the inadequate amount of time allotted in most high schools for lunch periods and most schools for breakfast periods. Improving access to these programs is vital to students.

Perhaps the greatest obstacle to be overcome in Florida is the stigma attached when one is identified as eligible to receive free or reduced price meals. Unlike school transportation and textbooks, needy students must prove eligibility to receive meal benefits. Most high school students avoid this humiliation and resort to snacks or not eating.

Among the general improvements to the programs we continue to support are:

(a) elimination of the cost factor related to severe need breakfast and basing eligibility on current year needy percentages;

(b) addition of the snack option to the school lunch program;

(c) single reimbursement rate in the summer food service program;

(d) allow offer versus serve in the summer food service program;

(e) maintain reasonable program accountability and increase emphasis on program quality;

(f) in year round public schools institute a single student nutrition program pilot that would combine the NSLP, SBP, CACFP, Special Milk and SFSP and allow students when off track to participate;

(g) eliminate the reduced price category and raise threshold for free eligibility to 185% of poverty;

(h) increased funding of the NET program;

(i) eliminate whole milk requirement;

(j) pilot a universal school breakfast program in elementary schools.

Thank you for your continuing support of child nutrition programs and please let me know when I can be of assistance to you.

Sincerely,

Joe Worden

Joe Worden
State Director
Child Nutrition Programs

Kansas State Board of Education
120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

December 8, 1993

THE HONORABLE DALE KILDEE
CHAIRMAN, SUBCOMMITTEE ON
ELEM SEC AND VOC EDUCATION
HOUSE EDUCATION AND LABOR COMMITTEE
2239 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON DC 20515-2207

Dear Representative Kildee:

I have read summaries of H.R. 3580, "The National School Lunch Act and Child Nutrition Act of 1966 Amendments of 1993", H.R. 3581, and H.R. 3582. On behalf of the Kansas State Board of Education, I would like to provide additional information for consideration as these bills proceed through the legislative process.

Today's lifestyles have changed the way Americans eat. The "when" of modern eating habits is virtually anytime, and more meals are eaten away from home. These practices are not incompatible with good nutrition, especially if the Child Nutrition Program meal requirements are consistent with the Dietary Guidelines for Americans. Program guides, handbooks, and recipes must also be revised to assist food service personnel in achieving the higher dietary requirements.

To meet higher dietary guidelines, adequate resources must be provided to support all schools in their efforts. Total funds expended for nutritious meals served to children will be much less than the Medicaid funds expended for health care costs of adults. A recent magazine article stated that 70 percent of all ills treated by doctors are preventable, in part, by good nutrition. Nutritious school meals will be the best medical insurance plan our nation can provide.

In recent years, a strong emphasis has been placed on accountability in all Child Nutrition Programs. No one will dispute the need for accountability, but the quality and integrity of the programs have suffered as a result of the pendulum swinging too far in that direction. New legislation should focus on the original intent of the programs -- to safeguard the health and well-being of our nation's children.

An underlying theme that should be considered for all programs is improving the coordination among programs serving the same populations. Programs should be easily accessible to recipients and should not require administrative duplication of effort. All programs should be administratively attractive to schools. In rural areas, schools are becoming community centers, and thus are the logical organizations to provide services to children and families.

Legislation should allow school districts flexibility so specific needs of the local schools can be met. Specific examples include elimination of the requirement that schools purchase certain types of milk, giving schools authority to control foods sold outside the food service area and on school property, and allowing schools to use free/reduced price meal eligibility data for other educational programs and benefits. Parameters should be established, but schools should be supported as they

Nutrition Services
(913) 296-2276

implement initiatives which reduce cost and duplication of effort while maximizing educational benefits for children.

Administrative paperwork must be reduced. Providing free meals to all grade school children below 185 percent of poverty level sounds great, but it will increase administrative costs, problems, workload, and paperwork. If a family has children in both elementary and secondary schools, the household will be required to submit two applications for free/reduced price meals. If the income is above 130 percent of poverty, the children in grade school will receive free meals while the older students will be eligible for reduced price meals. This will be difficult for parents to understand, and will greatly increase the possibility of errors by school administrators. It will not be easy to explain two income eligibility categories for elementary schools and three income eligibility categories for secondary schools.

Continue to support the Nutrition Education and Training Program (NETP) by fully funding the program. Eating habits are formed at an early age. Nutrition education programs must be started in child care centers and pre-schools and must include a parental involvement component. In school classrooms, nutrition education activities should be integrated into existing school curriculums. The educational day is not long enough for inclusion of another subject.

The Kansas State Board of Education, in cooperation with the National Food Service Management Institute (NFSMI), developed "Pyramid Builders", nutrition education activities for grades K-6. These activities, now being field tested in Kansas schools, are designed to be integrated into existing school curriculums. "Pyramid Builders" will be available in the near future.

The NETP also provides funds for training and retraining food service personnel to prepare foods using the best techniques which yield nutritious meals and to manage food service programs in the most efficient and cost effective manner. An adequately trained work force is essential for successful programs. With adequate NETP funding and help from the NFSMI, state agencies will be able to provide the needed training.

Other issues which we support include:

- changing Child and Adult Care Food Program (CACFP) eligibility criteria to allow for-profit centers to be eligible if 25 percent or more of the children they serve meet the guidelines for free or reduced price school meals;
- allowing children enrolled in Head Start to be automatically eligible for free meals;
- expanding the eligibility criteria for participation in the Summer Food Service Program (SFSP);
- providing incentives for schools to administer the SFSP. Expanding sponsorship of the program by nonprofit organizations will not necessarily reach more children in areas that are currently underserved. Our experience has demonstrated nonprofit organizations serve only small "pockets" or areas, and their program management skills are weak, (i.e. failure to recognize importance of regulatory requirements and consequences of non-compliance).;
- implementing a modified "offer versus serve" provision at SFSP sites which have on-site food preparation;
- simplifying record keeping and reducing paperwork in the SFSP, particularly for schools which administer the program.

- eliminate the cost-basis for "severe need reimbursement in the School Breakfast Program; this additional paperwork discourages eligible schools from applying for this funding;
- extending funding for school breakfast start-up grants;
- providing funding for expanding existing school breakfast programs;
- approving low-fat yogurt as a meat alternate;
- allowing all schools the opportunity to receive additional funding for purchasing more fruits and vegetables, low-fat dairy products, and more lean meats; and
- controlling the amount of data to be collected by the Secretary of Agriculture.

Participation in the Child Nutrition Programs continues to increase. In Kansas, the number of schools offering breakfast increased to 1,345, an increase of 97%. The number of schools serving lunch remains steady at 1,669. The real program expansion is in the Child and Adult Care Food Program where the annual rate of growth is approximately 21 percent. Four hundred thirty-four child care centers, five adult care centers, and 7,648 day care homes (73% of licensed/registered providers) are participating.

These programs also contribute to the economic status of Kansas. Approximately $81.5 million federal funds were received for Child Nutrition Programs. More than 5,100 people are employed in school food service programs. Total expenditures by public and private schools exceeded $120 million during fiscal year 1993.

I appreciate the opportunity to provide this information, and I look forward to further dialog.

Sincerely,

Rita Hamman

Rita Hamman, Team Leader
Nutrition Services

c Representative Jim Slattery
Representative Jan Meyers
Representative Pat Roberts
Representative Dan Glickman

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KENTUCKY DEPARTMENT OF EDUCATION
CAPITAL PLAZA TOWER • 500 MERO STREET • FRANKFORT, KENTUCKY 40601
Thomas C. Boysen, Commissioner

December 6, 1993

The Hon. Dale Kildee, Chairman
Subcommittee on Elementary, Secondary and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Rep. Kildee:

Thank you for your continued support of the Child Nutrition Programs. This reauthorization year presents us with a unique opportunity to return these programs to the original vision of those who passed the National School Lunch Act of 1946 and the Child Nutrition Act of 1966. That vision focused on nutrition, not welfare.

In Kentucky, the school breakfast and lunch programs serve 133,000 and 450,000 students a day, respectively. More than half of the students who eat lunch everyday come from households which qualify for free or reduced price meals. The significance of that statistic is that school meals are the best meals these students get. As we continue to work on reforming our education system, pursuant to the Kentucky Education Reform Act of 1990, well- nourished, healthy students have to be the starting point of our efforts. Our breakfast program continues to grow with more than 80% of our schools participating in the School Breakfast Program. Unfortunately, barriers such as transportation schedules, poor facilities and the welfare stigma continue to limit our breakfast participation to only about 30% of average daily attendance, compared to 72% for lunch.

As H.R. 8 proceeds, there are several issues that must be addressed. We currently monitor these programs for everything but program quality. All of us at every level want accountability in these programs, but accountability takes many forms and we need to address them all. We find ourselves in a very dubious position with regard to nutrition integrity. We encourage offer v serve where it might not be appropriate nutritionally, but might realize a savings financially; we offer items on our serving lines that are not the strongest in terms of nutrient content but are strong in terms of customer appeal; we are too quickly adopting too cozy a position with "fast food" franchisers who serve items that are not the best from a nutritional standpoint. The programs are hemmed in by a confusing array of regulations, instructions and policy memos that hinder local operation of the programs and set up barriers to participation.

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The Hon. Dale Kildee
December 6, 1993
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All of these areas need to be addressed in H.R. 8 if we are to take advantage of the opportunity reauthorization offers us. It seems to me that it is not coincidental that the 103rd Congress will be looking at reauthorization of the Child Nutrition Programs at the same time that it looks at the reform of our health care delivery system. My father is a family practitioner in Appalachian Kentucky and I have a strong sense of the need to stress preventive health and of the role that good nutrition plays in contributing to preventive health programs. We have an opportunity to craft H. R. 8 in such a way that it contributes to the health and well-being of the children of this country and I know you are interested in doing so.

I would be happy to provide more specific examples of the issues that need to be addressed if that would be helpful.

Again, thank you for your efforts.

Sincerely,

Paul McElwain

Paul McElwain, Director
School & Community Nutrition

Maryland State Department of
EDUCATION

Schools for Success

Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 333-2000
TTY/TDD (410) 333-6442

December 10, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary, Secondary,
and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

We at the Maryland State Department of Education consider the National School Lunch and Child Nutrition Programs most valuable resources for the children and youth of this state, one that helps us to improve their health and well being far beyond what would otherwise be possible.

Over the past few years, we have both participated in and undertaken several initiatives to improve and expand the programs and to more fully integrate them into educational and caregiving situations. One such initiative, led by Maryland Governor William Donald Schaefer, is called "Partners in Prevention." Innovative activities in this initiative include a school breakfast promotion that has already resulted in increased numbers of students eating a school breakfast and rewards to schools that teach students about nutrition and the importance of breakfast to their ability to learn and be successful. In another initiative, begun in 1990, members of Maryland's health, education, and business communities meet as a statewide Task Force on School Health and School Food and Nutrition Services. This group advises the health and education community on strategies to integrate school food and nutrition programs into educational programs.

We have an extensive outreach campaign. One facet of this campaign focuses on increasing student participation in the school meals programs while another facet focuses on expanding the Child and Adult Care Food Program. Under the School Breakfast Program, we are now serving almost 54,000 students a day, a nine percent increase over the past two years. Almost 320,000 Maryland students participate in the National School Lunch Program each school day. Unfortunately, this is still significantly fewer students than the 410,000 who daily ate the noon meal in Maryland schools before the draconian budget cuts of the early 1980s.

We are particularly proud of the growth of the Child and Adult Care Food Program over the past two years. We now have more than 100 adult day care centers in the program serving 6,000 clients daily, while in 357 child care centers we reach more than 16,000 children daily. In our 4,700 family day care homes, 26,000 children eat meals each day in this state. Overall in Maryland, 36 percent more meals were served in FY 1993 under the Child and Adult Care Food Program than were served two years earlier, certainly helping us to reach the goal of having children start school ready to learn.

Although we have not been able to make significant gains in participation in the Summer Food Service Program, we do reach some 30,000 youngsters a day during the summer through this program.

We strongly support program changes that improve the nutritional integrity of meals as well as overall program quality and efforts to simplify program access at both the sponsoring agency and participant level. We believe this can best be achieved through a "seamless" child nutrition program, one that emphasizes the valuable contribution good nutrition can make to the health and well being of our children.

We in Maryland appreciate your work in support of child nutrition programs.

Sincerely,

Sheila G. Terry

Sheila G. Terry, Chief
Nutrition and Transportation Services Branch

SGT/bef

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
P.O. Box 30008
Lansing, Michigan 48909

January 3, 1994

The Honorable Dale Kildee
Chairman, Subcommittee on
Elementary, Secondary, and
Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Representative Kildee:

As the state Child Nutrition Director of your home state, it is a pleasure to write you in regards to this year's child nutrition reauthorization. I am confident that your chairmanship of the Elementary, Secondary, and Vocational Education Committee and the importance you personally place on the overall child nutrition legislation will insure the reauthorization of these essential programs. For your past efforts to strengthen school lunch and breakfast programs we collectively say "thank you." Michigan's students are no different than those in any other part of the country, in that without the opportunity to obtain a nutritious meal, they will not perform at their maximum level. The national school lunch and breakfast programs are this country's best vehicle to assure educational integrity. Without the proper nutritional basis the public funds used to support our educational infrastructure is wasted.

While we strive to do more, we are proud of the fact that daily over 700,000 of Michigan's student population eat lunches that are reimbursed under the National School Lunch Program. This represents approximately 50% of our student population and also explains our efforts to encourage greater participation from the remaining students. Our efforts in terms of the School Breakfast program are both encouraging and disappointing. Our disappointment comes in that while we serve over 50% of our students lunch, we are reaching only 5% in the school breakfast program. The encouraging news is that in recent months the participation has more than doubled and we fully expect this trend to continue. Our state legislature has just passed legislation that will require implementation of the breakfast program in all schools that have 20% or more of their students eligible for free or reduced price meals. If this legislation is then funded at anticipated levels, it will represent the largest state support for school breakfast in our history.

In terms of specific issues to be addressed in this year's reauthorization legislation, we would offer the following issues for your committee's consideration.

Seamless Program

In recent months there has been much discussion on establishing "seamless programs." We strongly support the concept in that it is time that we concern ourselves with the job of feeding children regardless of the time of year, their age, their status, or the program for which they are eligible. Currently we busy ourselves with program regulations in the National School Lunch Program, Child and Adult Care Food Program and possibly the Summer Food Program to serve the same child a reimbursable meal. The irony is that depending on the factors described above the meal requirements, the reporting requirements and the level of reimbursement are all potentially different. Our recommendation is to blend the three into one program for all public schools in order to allow them to serve children under one set of regulations. This action would increase the efficiency at all levels of government while increasing public understanding of our efforts to increase nutritional integrity among our children and youth. While it would be advantageous to allow all sponsoring agencies to participate in such a program, realistically it is our opinion that only public schools should be considered at this time. We believe there would be more interest on the part of our public schools to venture into other feeding programs if such a consolidation were to become a reality.

Program Quality

While we need to insure accountability and program compliance, it is vitally important that an effort be made to improve overall program quality. This includes not only improved meal quality and service, but also focus on product specifications and purchasing practices, and reducing barriers to program participation. Some solutions for improving program quality include the following:

- Reinstating the Food Service Equipment Assistance Program for schools currently participating in the school lunch program, with special emphasis on such items as broilers, jet steamers, and additional refrigerators and freezers needed to handle the increasing amounts of frozen and fresh products. Computer scanning equipment should also be included to promote increased participation while protecting identity of free and reduced meal recipients. Many schools across the country have outdated equipment, much of which is at least 25 years old. It can no longer handle the current capacity, nor does it use advanced technology which would enhance meal quality as it relates to preparation, holding, or service.

Increasing Participation And Program Access

Many children do not participate because they cannot afford the charge for a reduced price meal, or they fear that others will know they receive the meal free or at reduced price. We need to make positive efforts to reduce these barriers by:

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- Eliminating the reduced meal category and blend that eligibility into the free meal category.

- Examining the possibility of feeding all children pre-K through 6th grade at no charge, and phasing in the remaining grades over a ten year period. At present this should be limited to school administered programs only.

- Allowing computer scanning equipment to be purchased with Food Service Equipment Assistance funds if those funds are reinstated. The use of these devices would particularly help protect the identities of high school aged students who are very sensitive to anyone knowing they might be eligible for meal assistance.

- Requiring the collective efforts of the U.S. Department of Health and Human Services and the USDA to insure that automated direct certification efforts are available to pre-approve AFDC recipients. We currently have a problem in the Midwest accessing automated AFDC eligibility data. In Michigan we could pre-qualify 8-9% additional children in our automated direct certification project if we had access to the data. Currently our access is limited to only food stamp records.

- Reduce the paperwork burden for local school districts. Elimination of verification requirements for districts participating in direct certification efforts would make a major improvement. Granting categorical approval for head start recipients would also help facilitate the approval process. An additional paperwork saving mechanism would be to allow public schools to act as a sponsor for all child nutrition programs using a single application, with a single set of consistent regulations for program implementation. This idea of a "seamless program" was identified earlier.

Nutrition Integrity

Implementation of the Dietary Guidelines should be of paramount importance if we are to curb the growing incidence of heart disease, stroke, various diet related cancers, hypertension, and diabetes. This cannot be accomplished in a single year, nor by banning specific food, thus creating a "good food," "bad food " list. The classroom and the cafeteria must be better linked to insure that what children learn through a comprehensive school health model can be applied when they make food selections in the cafeteria. Additional funding is needed to enable schools to make food purchases that are consistent with the Dietary Guidelines. Districts in our state that have made a concerted effort to implement the guidelines have found the current reimbursement structure is insufficient to enable them to purchase specific food items such as fresh and frozen fruits and vegetables, and cuts of meat/poultry products which are leaner and with reduced sodium levels. Training is also needed to specifically focus on the writing of product specifications consistent with the Dietary Guidelines.

School Breakfast Start-up Funds

While Michigan still ranks very low in the number of schools offering the school breakfast program, we have made great strides since 1990 as a direct result of the school breakfast start-up grants. Michigan has received one of these competitive grants in each year the grants have been made available. As a result, we are currently serving 60,4334 children breakfast daily. Our greatest increase came as a result of the 1993 grant. From 1992 to 1993, we increased participation by 21.3%. We expect an even greater increase this current year as the 1994 grantees become fully operational. We support the continuation of the grants and request $10 million be set aside annually for this purpose. Additionally, as a means of reducing paperwork, we would like the funds to be grants to states on a prorated share, rather than on a competitive basis. The formula should relate to the number of low income children in the state that do not have breakfast available to them. Of the annual appropriation, at least $3 million should be set aside for expansion of existing breakfast programs as a means of increasing participation.

In closing, let me again thank you for your continued support of our Child Nutrition Programs. If I may be of assistance in any way, please do not hesitate to contact me at (517) 373-8642.

Sincerely,

Roger L. Lynas

Roger L. Lynas, Director
Office of School Management

RLL:jlk

ROBERT E. BARTMAN
Commissioner of Education

DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
P.O. BOX 480
JEFFERSON CITY, MISSOURI 65102-0480

December 10, 1993

The Honorable Dale Kildee, Chairman
Subcommittee on Elementary, Secondary,
& Vocational Education
House Education & Labor Committee
2239 Rayburn House Office Building
Washington DC 20515-2207

Re: Child Nutrition Programs - Reauthorization

Dear Congressman Kildee:

As you are aware this is a reauthorization year for the Child Nutrition Programs. Accordingly, there is a heightened interest in the programs with many significant issues arising in relation to their operation and effectiveness. As the state director for Missouri, I wish to offer the following in support of items which I feel will enhance the operation of the programs for the benefit of our children.

Presently in Missouri all public schools, 2080, along with 254 private schools participate in the National School Lunch Program. These schools serve an average of 506,000 lunches daily of which forty-one percent (41%) are served free or reduced price. In addition, 1,480 public schools and 49 private schools participate in the School Breakfast Program, serving an average of 98,500 breakfasts daily of which seventy-six percent (76%) are served free or reduced price. Unfortunately, however, many of our children do not take advantage of the benefits offered. For whatever reason, only 64% of the children in attendance participate in the lunch program; and only 20% participate in the breakfast program.

In discussions concerning the above, several themes always seem to emerge; 1. the feeling by many that the original idea of the school feeding programs as stated in the original National School Lunch Act., "to safeguard the health and well-being of the Nation's children," has shifted from a program intended for all children, to one of just a program for the needy; 2. the concern that the nutritional integrity of our programs may be falling short, and 3. that our school feeding programs have become a quagmire of regulation and paperwork; particularly in the areas of student eligibility and accountability requirements. I believe the following will help in creating a more positive attitude toward the programs by both students and administrators, while at the same time make the operation of the programs more workable.

Nutrition Education & Awareness: In response to the challenge as to how to raise the level of nutrition awareness and change the nutritional habits of our school children:

I believe that school food service people across the nation are working very hard to provide the most nutritious meals possible for children. No matter how intense their efforts, however, one main point seems to arise concerning any success or failure in getting children to eat right. This point, very simply, is that children will eat what they want, and will not eat what they do not want. Children will not be forced to eat anything. To change children's attitude about eating, thus changing their behavior, we have to educate them, to "show them." In my estimation, the single most important thing that USDA, and all of us, can do to get children to accept what we say is good for them in the area of nutrition, is through an extensive and positive education program. This program must begin at the lowest grade level, and must be reinforced by us, as adults, by setting the correct example. Two items that may prove positive in this area are:

A. Continue to Promote and Fund Nutrition Education in Our Schools

To affect the knowledge and attitude of students, all educators and teachers must get involved. The Nutrition Education and Training Program should be permanently authorized with expanded funding for teacher involvement and classroom activities.

B. Implementation of a Stronger Competitive Food Rule

The present competitive food rule is totally ineffective. If we really are concerned about the foods children have access to and eat, if we really do not want foods of minimal nutritional value/junk foods interfering with the nutritional integrity of our programs, then we must "set the example" and get serious about program competition. At the same time we must give schools adequate funding to eliminate the need for school administrators to seek other sources of revenues to support their school feeding operations.

C. Require USDA to Explore and Fund All Approaches to Assisting SFAs in Implementing The Dietary Guidelines and in Meeting the Standards Set by USDA for ensuring Nutritional Integrity in School Meals.

Clear and sound guidance must come from USDA on program goals. This guidance must include just how and what is to be done to reach these goals, along with the right tools and adequate funding to obtain stated goals on the local level.

Attitudes Toward Program & Program Operations: In relation to attitudes concerning the purpose and operation of our programs:

It is my feeling that much work needs to be done to make the Child Nutrition Programs more acceptable by all students and more user friendly from the administrator's standpoint. In addressing these areas several items come to mind:

A. Adoption of a "Universal School Lunch and School Breakfast Program"

Adoption of a universal lunch and breakfast program regularly providing meals each day to all children would: eliminate much time and energy now being spent on paperwork generated by eligibility determinations (free/reduced price meal applications) and accountability (meal counting) requirements; reduce the stigma (program only for the needy idea) currently attached by many to our school food programs making many students reluctant to participate; and foster the idea that the school food programs are an integral part of the overall educational setting.

B. Provide for Multiple Use of Free\Reduced Price Meal Eligibility Information

Allow eligibility determinations (free/reduced price meal eligibility information) to be shared with other appropriate local school officials to substantiate student eligibility under other federal, state, or means tested programs. Sharing this information will provide a simpler, more uniform procedure to provide multiple benefits to children determined to be economically needy.

C. Eliminate the Verification Requirement

Eliminate the current mandated income verification requirement and the paperwork associated with the procedure. This would free up much time now being spent on a process of questionable benefit.

D. Change Requirements For Receipt of School Breakfast Program Severe Need Reimbursement Rates

Eliminate the "per breakfast cost basis" for earning and retaining the maximum severe need breakfast program reimbursement.

Also, allow, on an optional basis, SFAs to qualify for severe need breakfast program reimbursement on a district wide basis rather than on a school basis.

E. Raise the Private School Program A-133 Audit Requirement Dollar Level From $25,000.00 to $50,000,00.

Many small private schools suffer under the $25,000.00 audit requirement trigger. In some instances it is our encouragement to use all the donated foods that they can that pushes them over the limit. Some exceed the limit by only a couple of hundred dollars, causing them to be hit with the high cost of having an audit conducted.

F. Continuation and Expansion of School Breakfast Start-Up Funding

Continue to provide School Breakfast Program Start-Up Funds to assist SFAs with one-time costs in starting a breakfast program. In addition, authorize funding to assist schools already participating in the breakfast program to expand and increase participation. Many districts started the program years ago without additional aid and could now use some assistance. Funding for only those who have not started the program gives the appearance of awarding districts who have been slow to respond.

Funding:

If we are going to set goals and expect schools to respond then we must give them the resources to do so. It is understood that instant full funding in the amount it would take to implement all of the above is probably not realistic, however, an immediate implementation of some of the above would be a good start in just cutting some of the costs now associated with the program. The elimination of the breakfast program severe need reimbursement per breakfast cost limitation, along with the three percent (3%) free/reduced price meal application verification process, and increasing the audit requirement dollar threshold for private schools would result in immediate savings in time and money without an increase in the present funding level. For other items, possibly a gradual phasing in is possible; e.g., the universal program: an elimination of the reduced price lunch category in all schools (elementary & high) or, the initiation of the full universal program in just elementary schools would be a positive step in this area.

Congressman, as stated earlier, I hope the above will be beneficial.

Sincerely,

William F. Pohl, Jr., Director
School Food Services
Missouri Department of Elementary
& Secondary Education
(314) 751-3526

NEBRASKA DEPARTMENT OF EDUCATION
301 Centennial Mall South · P.O. Box 94987
Lincoln, Nebraska 68509-4987
Telephone (402) 471-2295 (Voice/TDD) · Fax (402) 471-0117

December 10, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on
Elementary, Secondary, and
Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

Child Nutrition Programs are considered an important part of equity for children in Nebraska. In order for all children to have equal opportunity to learn and grow, they must not be hungry.

In October 1993, an average of 192,000 students participated in the National School Lunch Program daily. This figure represents 69 percent of the students attending school at the 1,003 sites in the 497 participating school districts. Free and reduced price lunches accounted for 30 percent of the meals.

The number of sites participating in the School Breakfast Program is increasing. In October 1993, 325 sites offered breakfast in 140 districts. This is an increase of 44 districts and 115 sites in the past two years. Nebraska received School Breakfast Start-Up Grant funds in fiscal years 1992, 1993 and 1994.

Substantial growth occurred in the Nebraska Child and Adult Care Food Program (CACFP) during fiscal year 1993. The number of centers increased from 281 to 316. The number of lunches and suppers served monthly in centers increased from 168,892 to 189,459. The number of participating family day care homes increased from 3,293 to 3,774. The number of meals served monthly in these homes increased from 408,099 to 454,815.

The original goals of the legislation establishing the National School Lunch Program were to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities. It appears that the emphasis of Child Nutrition Programs has strayed from these goals.

Application of the Dietary Guidelines for Americans to all Child Nutrition Programs would safeguard the health and well-being of children. However,

Joe E. Lutjeharms
Commissioner
301 Centennial Mall South
P.O. Box 94987
Lincoln, Nebraska 68509-4987

State Board of Education

Russell Worthman
President
180208 G.F.L. Road
Gering, Nebraska 69341

Caren Hamilton
Vice-President
Box 1528
Grand Island, Nebraska 68802

Max D. Larsen
641 Haverford Circle
Lincoln, Nebraska 68510

Ally Milder
11422 Miracle Hills Drive
Omaha, Nebraska 68154

Walter M. Thompson
Route 2
Oakland, Nebraska 68045

Bobie Nolte
2708 Highway 1
Murray, Nebraska 68409

Thelma Long
143 Grant Street
Litchfield, Nebraska 68852

William C. Ramsey
1405 Farnam, #1014
Omaha, Nebraska 68102

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simply mandating that all meals meet the Dietary Guidelines is not sufficient. Food is nutritious only if children eat it. Providing nutrition education for children and parents must be a cornerstone of all Child Nutrition Programs. Training and technical assistance for food service personnel will insure preparation of nutritious food that tastes good. The meal patterns must lend themselves to reducing fat, while providing sufficient calories for growth. The commodities provided to participating institutions and schools must be nutritious and contribute to meals that meet the Dietary Guidelines.

Greater emphasis should be placed on the nutritional value of all foods available during meal service. The availability of high fat snacks at the end of the lunch line or in a vending machine in the hallway can sabotage a meal that meets Dietary Guidelines. Nebraska schools do not allow the sale of any competitive foods or beverages from one-half hour before to one-half hour after meal service.

Simplifying all Child Nutrition Programs would allow all schools and institutions to focus attention on the nutrition aspects of the programs. Public school students in Nebraska are not charged for books, bus transportation or participation in extra-curricular activities. It would simplify the lunch program to provide meals to all students at no charge. Schools could then concentrate efforts on providing nutritious food, rather than spending time deciding who qualifies for free/reduced price meals and counting these meals in a way that does not identify the students. Additionally, school administrators dislike being forced to collect financial information about their students.

The term "seamless" is often used in describing ideal Child Nutrition Programs. In school programs, the breakfast and lunch programs are seamless in that families submit one free/reduced meal application for approval in both programs and districts submit one reimbursement claim for both programs. Many schools are adding after-school child care programs for elementary students. Schools should be allowed to claim after-school snacks along with breakfast and lunch. Adding the after-school programs to the breakfast and lunch programs would encourage more districts to provide after-school care and reduce the number of "latch key" children.

For CACFP, the program would be more seamless if admission to Head Start was automatic certification for free meals. Direct certification for free meals for families qualifying for Food Stamps or Aid to Families with Dependent Children would also reduce paperwork for families and centers.

Due to changes in other Federal programs, references to Title XX should be eliminated. Needy children would be better served in proprietary centers if these centers were allowed to participate in CACFP if the 25 percent requirement is based on eligibility for free and reduced price meals.

The School Breakfast Start-Up Grants have increased the number of breakfast programs in Nebraska. Lack of funds to purchase equipment has been a barrier in some districts. Continuation of the Start-Up Grants is highly recommended. A similar grant program to allow districts to improve existing breakfast programs is also needed.

The Nebraska Department of Education has made a concerted effort over the past 10 years to provide technical assistance to schools. The thrust of the technical assistance was improving nutritional quality of meals and maximizing efficiency to reduce costs. Increased monitoring requirements dictated by the Coordinated Review Effort have greatly reduced the technical assistance State Agency personnel can provide to school nutrition programs. Increased emphasis on technical assistance and decreased prescription of monitoring activities would greatly enhance school nutrition programs in Nebraska.

Thank you for the opportunity to provide information and input on behalf of Nebraska children, schools and institutions.

Sincerely,

Connie Stefkovich

Connie Stefkovich, R.D.
Administrator
Nutrition Services

STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
CN 500
TRENTON, N.J. 08625-0500

MARY LEE FITZGERALD, COMMISSIONER

December 13, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary,
Secondary and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

As you prepare to reauthorize the child nutrition programs that expire on September 30, 1994, I would like to share New Jersey's perspective on the importance of these programs and some issues we would like you to keep in mind.

As a former teacher, school food service director, and now State Director for Child Nutrition Programs, New Jersey has long since recognized the importance of the child nutrition programs in the educational process. In 1971, a state law was established, New Jersey Administrative Code 6:20, whereby any school in which 5 percent or more of the school enrollment is found to be eligible for free or reduced-price meals shall offer lunch to all students enrolled in that school. Free and reduced-price lunches must be offered to all qualifying children. Such lunches shall meet minimum nutritional standards established by the United States Department of Agriculture.

In New Jersey, more than 1,000 school districts with approximately 2,800 schools participate in the National School Lunch Program. New Jersey has a current school enrollment of 1.1 million students, with 309,745 students eligible for free and reduced-price meals, representing 54 percent of those students who participate on a daily basis. Without the benefits of these programs, these students would not be able to maximize their educational opportunities. Strong evidence exists regarding the benefits of sound nutrition as it relates to the ability of a child to learn. School administrators and teachers now view these programs as an integral part of the educational process.

Paperwork Reduction Pilots

The Jersey City School District operates as one of the Paperwork Reduction Pilots authorized under previous legislation. Last school year, the Jersey City School district experienced an annual savings in excess of $240,000 by eliminating student meal tickets and money collection in 24 of its 40 school sites. Lunch participation in these schools reached 88 percent of average daily attendance, a 26 percent increase from the previous year. A breakfast program was implemented and services an average of 31 percent of the students in the pilot schools. The estimated savings of school administration and secretarial assistance exceeded $516,000.

Additionally, several other positive outcomes were realized in the pilot schools:

- There was decreased educational time spent by principals on the program;
- Reduced educators animousity significantly toward administering the programs, which had a negative effect on the number of children participating;
- Eliminated the stigma associated with coded tickets;
- Increased the food service time allocated to meal quality, educational programs and reviewing other program costs.
- Increased the number of meals served. The greatest increase was in categories of students who had formerly paid for a reduced or paid lunch. Since more children participated in the program, the actual cost per meal decreased;
- Increased the hiring of food service workers in an urban inner city area during a time when the economy was poor;
- Facilitated the implementation of the School Breakfast Program district-wide. There were no lost ticket problems;
- Reduced paperwork analysis; and most importantly,
- Enabled the schools to integrate the program into the educational day by allowing all students equal access to meals served.

Based on the positive impact this one pilot study has had on cost reduction and increased student participation, it is essential that further studies be conducted through continuation of the existing pilot projects. Additional pilots should be considered to evaluate cost effective alternatives to providing accountable nutrition benefits to school age children while reducing the excessive paperwork burdens on local school districts.

School Breakfast Start-Up

New Jersey has been a significant recipient of the School Breakfast Start-Up grant funds. Since 1991, 13 school districts received $1,965,209 to implement school breakfast programs in schools that did not otherwise offer a breakfast program. With these funds, 139 schools implemented the program, having a combined enrollment of 85,087 of which, 48,033 are eligible for free and reduced-price meal benefits. The start-up grants have been extremely beneficial to the expansion of the breakfast program in our state. The need for this funding to continue is substantial, in light of scare resources for equipment purchases and program expansion at the local school district level.

School Breakfast Program studies have shown that there is a definite link between nutrition and a child's readiness to learn. The School Breakfast Program allows children to eat nourishing low-cost meals who for various reasons come to school without eating breakfast at home. It is no longer solely an issue of poverty or low-income children coming to school hungry but now includes children from all economic backgrounds. In many cases parents find that the morning rush to school and work leaves little time in which to eat a good breakfast. Children who have access to school breakfast are more prepared to learn, have a much better attitude towards education and are more alert than those children who come to school without breakfast.

Nutrition Integrity

The time has come to refocus the priorities of the child nutrition programs back to their original intent: insuring program quality, with sufficient funding to allow schools nationwide to offer programs of unquestionable nutritional integrity. Regulatory requirements should be re-evaluated and streamlined to allow flexibility within the required accountability requirements, while identifying and eliminating the barriers preventing child nutrition program meals from meeting the dietary guidelines issued by the departments of Agriculture and Health and Human Services.

Seamless/Simplified Programs

A comprehensive child nutrition program combining lunch, breakfast, after school snacks, child and adult care food, and summer programs would benefit participants and sponsors. This "seamless program" would establish common criteria for eligibility, regulatory requirements such as similar meal patterns, and allow all school-operated meal services to use offer versus serve. With the different regulations and requirements of these programs, some children who need to be served simply "fall through the cracks"--one comprehensive child nutrition program would prevent this from happening.

Competitive foods contrary to the dietary guidelines are available in many public schools. USDA should establish stronger regulations about restricting these types of foods on school property or allow school districts to make decisions at the local level.

Funding

Federal funding for program administration at the state level (particularly minimum grant states) and program operations at the local level must be increased. This is vital to provide the resources necessary to comply with increasing complex program regulations and to ensure that schools are able to train school food service personnel effectively to provide the most nutritious meals possible. The issue of nutritional integrity of meals served to children will require substantial and continuous training through the National Food Service Management Institute as well as training and technical assistance at the state and local levels. Staff development will be crucial to the continued success of the Child Nutrition Programs.

We have an obligation to educate our young people in academics as well as achieving healthier lives. The New Jersey Department of Education has an interest in improving our student's performance in both areas.

Thank you for the opportunity to share our concerns with you. Your continued interest in the child nutrition programs is greatly appreciated.

Sincerely,

Kathy F. Kuser

Kathy F. Kuser, Director
Bureau of Child Nutrition Programs
New Jersey Department of Education

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STATE OF OHIO
DEPARTMENT OF EDUCATION
COLUMBUS
43266-0308

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Decade of
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PROGRESS
1990 ✱ 2000

LORITA T. MYLES
DIRECTOR
Division of School Food Service
Room 713
65 South Front Street
(614) 466-2945

January 3, 1994

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary, Secondary, and
Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

This letter is written to express Ohio's appreciation for your proactive legislation supportive of the Child Nutrition Programs. For the first time in over 12 years, a bill has been introduced that does not recommend reductions in program funding but actually calls for expansion in some areas, a true victory for over 25 million children who benefit from the nutritionally balanced meals as they begin to build lifelong healthy food practices.

Ohio's Child Nutrition Programs served over 1 million children providing 154,191,132 lunches and 23,610,869 breakfasts at over 4000 sites in SY 92/93.

Our recent efforts, concentrated on promoting and expanding the School Breakfast Program, included awarding breakfast start-up grants to 29 school districts; has resulted in the addition of 244 sites, a 17 1/2 percent increase in just the last two years.

The Ohio Division of School Food Service believes:

- A well-nourished child is better prepared to learn.
- Learning healthy eating habits at an early age is essential to developing lifelong healthy and productive life-styles.
- The school lunch and breakfast can be the most affordable source of nutrition available for all children.
- A healthy diet can be achieved by selecting a variety of foods from the four food groups.
- The school's food service staffs are integral partners in the education of the child.

The Honorable Dale Kildee
Page 2
January 3, 1994

Your bill strengthens the programs and supports our beliefs. In particular, section 103 which increases the free income eligibility threshold to 185 percent in elementary schools and section 106 which broadens the summer food service program eligibility and modifies the nonprofit participation limitations.

Our vision for the future includes:

- Creating a universal seamless Comprehensive Child Nutrition Program authorized by one set of regulations; requiring one agreement, establishing consistent reimbursement rates, requiring consistent meal pattern and portion quantities and allowing all meal services to use Offer versus Serve.
- Eliminating the requirement that specific types of fluid milk must be offered by schools participating in the National School Lunch Program.
- Eliminating the cost basis for breakfast severe need reimbursement.
- Reauthorizing and expanding the breakfast program start-up grants.
- Expanding the National School Lunch Program to include meal supplements for after-school-care programs.

At this critical time of changing priorities, it is important to consider all of these challenges in the reauthorization legislation; recognizing that the result will be that our nation's children will have a healthy start into the competitive new world.

Your support of Child Nutrition Programs is greatly appreciated and your visionary leadership is needed to guide us into the 21st century.

Sincerely,

Lorita T. Myles
Director

LTM:tb

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
333 MARKET STREET
HARRISBURG, PA 17126-0333

December 10, 1993

The Honorable Dale Kildee, Chairman
Subcommittee on Elementary, Secondary
and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C., 20515-2207

Dear Chairman Kildee,

As State Director of Child Nutrition Programs in Pennsylvania, I am keenly aware of the importance of legislation introduced to amend the Child Nutrition Act of 1966 and the National School Lunch Act. Over 850,000 of the Commonwealth's children participate in the National School Lunch Program every day. With the help of $2.8 million in federal School Breakfast Program Start-up Grants, we have nearly tripled participation in the School Breakfast Program in the last four years. In Pennsylvania, an increasing number of educators, administrators, and school food service directors now readily acknowledge school breakfast and lunch programs as a vital component of their students' education. The link between nutrition and readiness to learn is no longer an esoteric concept; it is a fundamental truth.

As you are aware, the School District of Philadelphia has participated in a three year pilot program which has allowed students to eat breakfast and lunch free of charge without submitting National School Lunch Program (NSLP) applications. Participation in the NSLP has increased by 14 percent in elementary schools, by 45 percent in middle schools, and by 180 percent in high schools. An additional 14,000 students are participating in the NSLP on a daily basis. We have seen the welfare stigma disappear as meal tickets and rosters have disappeared. The pilot program has saved an estimated 17,000 hours of school administrators' time and an estimated 13,000 hours of cafeteria staff time. The Pennsylvania Department of Education has recommended to Secretary Mike Espy that the pilot project be extended in Philadelphia for another three years.

But we must do more. The issue of **nutritional integrity** is high on the agendas of the United States Department of Agriculture (USDA), the America School Food Service Association (ASFSA), the National Food Service Management Institute and other prominent organizations with an interest in proper nutrition for our children. Discussions concerning potential 1990 Dietary Guidelines for Americans mandates in the National School Lunch Program can be heard at the national, state, and local levels on a daily basis. Training of school food service and the food industry must be a priority in any new initiative or legislation addressing implementation of the Dietary Guidelines. Without interim guidelines and training, the food industry will fail to develop products that meet the Dietary Guidelines. In turn, food service directors will fail to develop menus that follow nutritional mandates. The results would include a significant decline in the number of schools that participate in the NSLP and an increase in the number of high fat and more costly (to students) a la carte programs. Most unacceptable is the fact that the low-income children most at risk due to hunger and malnutrition would lose access to school meals programs.

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Given that **increasing participation** is one of our goals, we must consider options for reducing the paperwork burden associated with all of the Child Nutrition Programs. Food service directors mired in paperwork do not have the time to develop marketing or promotional campaigns for breakfast and lunch programs. Nutrition education is shelved due to time and labor constraints. Additionally, schools will be more likely to take a comprehensive approach to feeding children by offering breakfast and lunch programs, and the Summer Food Service Program if only one application for several programs is required. The development of a **seamless** application should be a priority with the USDA. Excessive regulatory controls have taken precedence over the nutrition needs of our children. Reforms developed to improve nutritional integrity must be paired with reforms to reduce paperwork.

Funding for the Nutrition Education and Training (NET) Program must be increased. In the last eighteen months, the Pennsylvania Department of Education has developed inter-disciplinary nutrition curricula for grades K-12; provided 27 workshops for food service staff on implementing the Dietary Guidelines; developed award winning Dietary Guidelines posters for elementary school children; developed Food Guide Pyramid book covers for third-graders; developed School Breakfast Program promotional materials; developed a "5 A Day" musical video for pre-schoolers and elementary school children; developed recipe and menu guides which follow the Dietary Guidelines for both the Child and Adult Care Food Program and the Summer Food Service Program; and developed needs assessments to identify the management and nutrition education training needs of school food service staff. All of these projects were developed with NET Program funds. Additional funding would allow us to expand our target population to include parents and other groups we cannot reach due to limited funds.

Summer Food Service Program (SFSP) regulations should be changed to encourage more schools and private non-profit agencies to become sponsors. Operating and administrative expenses should be combined with a 12 percent cap placed on allowable administrative costs. SFSP regulations should parallel those of the National School Lunch Program (NSLP); reimbursement rates for the NSLP, however, would not be sufficient to cover SFSP expenses. Eligibility should be based on 40 percent of children eligible for free and reduced price meals, rather than the current 50 percent. Start-up costs should be made available to all SFSP sponsors providing meals to children in rural areas. The availability of renewable applications or seamless applications would significantly increase the number of SFSP sponsors nationwide.

Thank you for your review of the above recommendations. Your continued support of the Child Nutrition Programs is greatly appreciated by all of us committed to feeding hungry children.

Sincerely,

Pat Birkenshaw

Patricia R. Birkenshaw, Chief
Division of Food and Nutrition

STATE OF RHODE ISLAND & PROVIDENCE PLANTATIONS
DEPARTMENT OF EDUCATION
22 Hayes Street
Providence, R.I. 02908

Peter McWalters
Commissioner

(401) 277-2031
FAX (401) 277-6178
Voice/TDD (401) 277-2031

December 31, 1994

The Honorable Dale Kildee, Chairman
Subcommittee on Elementary, Secondary
and Vocational Education
House Education & Labor Committee
2181 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Kildee:

As we begin the process of re-authorization of Child Nutrition Programs, I would like to take the opportunity to provide you with some information and comments on program issues as they effect my state. As the Finance and Administration Manager for the Office of School Food Services at the Rhode Island Department of Education, I have come to know the importance of Child Nutrition Programs in the overall success of achieving both educational and health goals for children of all ages. In Rhode Island we believe that all children can and must learn. However, we know that for children to be able to learn they must come to school ready to learn. We believe that the Child Nutrition Programs play a key role in our efforts to insure that all children are ready to learn. We know that hungry children don't learn.

In Rhode Island, where the school lunch program is mandatory, we serve about 54,000 lunches each day out of a total of 131,000 children enrolled. In the breakfast program, where there is no mandate, the numbers are much different. Only 91 of 309 schools participate serving about 6,000 breakfast each day. We support breakfast program expansion but believe that efforts should not focus only on increasing the number of schools. Breakfast program grant money should also be available to support program improvements and outreach efforts to increase student participation in schools with existing programs.

In the Child and Adult Care Food Program we are reaching 63 sponsors with an average daily attendance of over 8,000 per day at 371 food service sites to include 258 family day care homes. In the Summer Food Service Program we reach over 11,000 children per day at 167 summer food service sites. We understand

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the important role these programs play in insuring good nutrition to children when they do not have access to the school based programs. We support efforts to expand and improve these very important programs.

Rhode Island, like many other states, is moving toward "outcomes" rather than "inputs" with a move toward reducing regulation and paperwork. One of the most heard complaints about our current Child Nutrition Programs center around excessive paperwork. We support efforts to reduce paperwork in all programs.

There is a current perception that our programs currently focus on accountability at the expense of quality and nutrition. While we understand that accountability is important, we do believe that this focus should be expanded to include program quality, nutrition integrity, program access and increased participation.

We believe that re-authorization efforts should move toward seamless and simplified programs and support efforts to eliminate the reduced-price category. We recommend that elimination of this category should apply to all grades and all programs otherwise it will add to current administrative complexity by creating yet another difference between programs. We believe we should go even further in simplifying programs and reducing barriers to participation by providing for a universal meal program option that has proven successful in pilot sites.

Funding is a key issue in Rhode Island. During the current economic recession Rhode Island has been one of the hardest hit of all states and is projected to be among the last to benefit from economic recovery. For us, full recovery still appears to be a long way off. This has had a critical effect on both state and municipal budgets. State and local funds to implement program changes will not be available. Supporting program changes with the necessary funding to implement them will be critical to successful implementation.

We support efforts to increase the State Administrative Expense (SAE) minimum funding level. We recommend an increase to $250,000 for the school programs. Current funding levels include minimum funding levels for small states for each program. Since 1980 there has been no increase in the established minimum levels. Small states like Rhode Island are being asked to operate the Child Nutrition Programs in the 1990's with the same amount of funds provided in 1980. Salaries and other program costs have increased considerably since that time. Total SAE authorization for Rhode Island has increased a total of only 11% from 1980 to 1993 while representative salary increases range from 70% to 108% over the same period. Also, program changes have added significant administrative responsibilities to the State Agency with no additional funding provided for these increased responsibilities. Small states cannot be expected to maintain support levels, let alone take on new responsibilities when the percentage level of federal support funding is being reduced from year to year. Without an increase in minimum funding small states will not have the resources necessary to provide the leadership and direction required to implement program changes currently being discussed as part of the re-authorization process.

We believe that that this re-authorization process provides an important opportunity to improve Child Nutrition Programs throughout the nation. By improving these essential programs we can strengthen the health and well being of our nations children and help insure that all children are ready to learn.

Sincerely,

David J. Andreozzi
Finance & Administration Manager
School Food Services

South Dakota
GREAT FACES. GREAT PLACES.

Department of Education and Cultural Affairs

December 10, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on
Elementary, Secondary, and
Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, DC 20515-2207

Dear Representative Kildee:

This letter is written to express to you the needs for child nutrition programs in the State of South Dakota. I wish to thank you very sincerely for sponsoring legislation for child nutrition programs. South Dakota serves 97,000 school lunches each day and approximately 13,000 school breakfasts. The last four years breakfast participation has increased at the rate of 1,000 meals per day each year. The greatest barrier to participation in school breakfast where it is offered is cost to the paying parent. Another barrier in some areas is parenting skill. Teachers can help overcome this barrier by instructing children in the classroom.

Day Care homes providing the Child and Adult Care Food Program have been increasing each year from 50 to over 100 last fiscal year. Our Summer Food Service Program participation has not increased, due partially to paperwork expense.

Major issues affecting reauthorization for South Dakota are as follows:

1) The provision to eliminate cost as a requirement of severe need and to approve severe need breakfast rates across the board not only enhance participation for the breakfast program, but I believe also for the National School Lunch Program. Many students in the paid category do not participate in the School Breakfast Program because parents are paying full price for lunches and simply cannot afford both costs. Increasing the subsidy to schools for eligible children in low income areas would help control the cost of the price of a breakfast in those areas. As important would be the reduction of paperwork for the school district and for state agencies. This would result in cost containment, reduction, or transfer for nutrition education at the local and the state level.

2) Eliminating the reduced price category in school lunch and breakfast and using 185% of poverty as the level for free meals would provide benefits to a group of people for whom all other benefits are removed at that level and who are usually struggling with other financial issues. According to statistics, this is a small group of people and the cost for this enormous benefit to this

Child and Adult Nutrition Services
Dept of Education and Cultural Affairs, 700 Governors Drive, Pierre, SD 57501-2291
Office - (605) 773-3413 Fax - (605) 773-6139

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small group of families should be minimal to the program.

3) The Summer Food Service Program should be streamlined, and be an extension of the National School Lunch Program, although allowed to operate in other year-round facilities. National Youth Sports programs and government should be excluded as separate sponsor categories. They should be allowed to participate as public or private schools, local organization, or camp. This would make the Summer Food Service Program consistent with other child nutrition programs for computer and reporting systems. This would rasult in cost reduction as well. Also in the Summer Food Service Program, reimbursement should be simplified to single meal rates with perhaps a small amount for administration.

4) It is important to require only fluid milk in NSLP, allowing schools to decide on the various types of milk they will offer. Allowing yogurt as an allowable choice in the breakfast program as a meat alternate is acceptable.

5) To require schools to implement the dietary guidelines as choices of food is good. There must be a realization that providing servings to meet dietary guidelines has an additional cost in the beginning of waste and, hopefully in the end, consumption. In order to help the schools meet the Dietary Guidelines for Americans, schools must be allowed to purchase fresh fruits and vegetables locally as an option, rather than attempt to create a distribution system for commodities which will efficiently and effectively meet this need. It has been proven that the commodity letter of credit helps to move agricultural surplus and allows more flexibility. The commodities as a distribution organization within the federal government to schools should be downsized. The emphasis and expertise for the US Department of Agriculture is on huge quantities of global exports. It is designed to work best in that way. This is not a suggestion the food that is needed for hungry persons in the United States should be sent out of the United States. It is a suggestion that resources could be used more effectively to help children.

6) In order that consumption of meals in schools meet the dietary guidelines, nutrition education and marketing must occur. It is impossible district by district to provide the kinds of resources to compete with commercial fast food. The nutrition education and marketing efforts must be coordinated and guided as part of a national process.

7) Very important to the personal well-being and educational success of each child eligible for free or reduced price meals is the handling of that information. Within school systems, school food service has total responsibility for protection of this information, while many other programs are encouraged from a federal and national level to use it. It appears that Congress must address the issue for it to be resolved. A system of use within schools which meets privacy and civil rights requirements must be developed or all federal agencies must be instructed regarding the confidentiality of the information.

8) Lastly, additional funding for equipment in breakfast start-up programs is not needed. Money that would be set aside for this purpose would be better spent helping children understand the importance of eating a good breakfast and assisting their participation in the program. If children are eating school meals, and the subsidies and prices of those are adequate, there will be enough money for the schools to make whatever investment is necessary to

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provide breakfast to those children. As a recipient of five School Breakfast Start-Up-Grants, South Dakota is appreciative; however, it must report that for the amount money garnered for a small number of schools, the process is extremely time consuming and costly at both the State and local level. About 50% of breakfast programs have started without grants in the same five year period.

Thank you for the opportunity to comment on legislation which will be considered in this session of Congress and for supporting school meal programs which must be considered important to the health of our children and our nation. Without appropriate changes, I believe that school meals programs may be a serving area surrounded by vending machines by the year 2000.

Sincerely,

CHILD AND ADULT NUTRITION SERVICES

Carol Davis Axtman

(Mrs.) Carol Davis Axtman, Director

ajr

cc: Mike Smith

TEXAS
EDUCATION
AGENCY 1701 NORTH CONGRESS AVENUE • AUSTIN, TEXAS 78701-1494 • (512) 463-9734

December 9, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary, Secondary, and Vocational
Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

America's future lies in the hands of its young people. For children to prosper and thrive, they must receive proper nourishment. Research has illustrated vividly the connection between good nutrition and learning; therefore, school meals play a vital role in the health and well-being of America's children.

In Texas more than 1,000 school districts with 5,600 schools participate in the National School Lunch and School Breakfast Programs. Approximately 3.3 million Texas school children have access to nutritious, balanced meals each day under these programs (1.5 million children are eligible for free or reduced-price meals). Last year Texas schools served over 340 million lunches and 100 million breakfasts. For many children, school food service may be the most nutritious or the only meals available each day.

The Texas Education Agency and food service professionals throughout this state consider quality school food service their top priority. In the past year more than 2,000 Texas school food service professionals received training on implementing the Dietary Guidelines for Americans into their lunch and breakfast programs. A Food Industry Task Force was organized to discuss the financial impact of serving healthier foods, changes in foods and procurement practices needed to implement the Dietary Guidelines, and the development of new products and the reformulation of existing products. A nutrition curriculum guide was developed and distributed to all school districts to improve the nutritional status of children as well as to inspire lifetime habits of healthy eating.

As the reauthorization of the Child Nutrition Act of 1966 and the National School Lunch Act takes place, I would like to offer some comments about issues affecting child nutrition programs.

- Child nutrition programs were developed to safeguard the health and well-being of the nation's children. In recent years some schools and some children have not participated in these programs because of barriers. To participate in these programs, schools must account for the number and categories of meals served and are required to document and verify family sizes and incomes to determine which children qualify for free or reduced-price meals. The record keeping is complex and, although school administrators are extremely careful in identifying needy students, many children feel stigmatized by participating in a program that has been viewed as a "welfare" program. A universal school lunch and breakfast program is the next logical step. School food service would be provided for all children as an integral part of the

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education process without regard to a family's income or ability to pay. In the universal program, children would not be identified as low-income, and schools could eliminate keeping many of the records necessary for determining family income.

- Change the emphasis of the compliance monitoring instrument (CRE). Make the accountability review more reasonable and less time consuming and focus monitoring and technical assistance on improving the quality and nutritional integrity of the meals served to the children.

- A comprehensive child nutrition program combining lunch, breakfast, after school snacks, child and adult care food, and summer programs would benefit participants and sponsors. This "seamless program" would establish common criteria for eligibility, regulatory requirements such as similar meal patterns, and allow all school-operated meal services to use offer versus serve. With the different regulations and requirements of these programs, some children who need to be served simply "fall through the cracks"—one comprehensive child nutrition program would prevent this from happening.

- Since the USDA and schools are focusing more and more on the Dietary Guidelines and providing lower fat meals, the requirement to make whole milk available should be eliminated and adequate funding should be provided to allow schools to purchase more nutritious products.

- Nutrient Standard Menu Planning is an alternative method of menu planning to ensure the nutritional quality of school meals. A computer is used to analyze nutrients of school meals served over a week's time. It can provide a cost-effective menu planning alternative and provide flexibility in offering foods that children need and prefer. For this method to be used effectively, schools would need computers, software, and technical assistance.

- Competitive foods are available in many public schools. USDA should establish clear regulations about permitting these foods in the schools or allow school districts to make decisions at the local level.

- Federal funding for program administration at the state level (particularly minimum grant states) and program operations at the local level must be increased. This is vital to provide the resources necessary to comply with increasingly complex program regulations and to ensure that schools are able to provide and serve the most nutritious meals possible.

Child nutrition programs should be a fundamental part of the education process. I appreciate the opportunity to share our concerns with you. Please feel free to call me or my staff if you have any questions.

Sincerely,

John D. Perkins

John D. Perkins, Director
Child Nutrition Programs

JDP:sh

STATE OF VERMONT
DEPARTMENT OF EDUCATION
120 State Street
Montpelier, VT 05620-2501

December 10, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on
Elementary, Secondary and
Vocational Education
House Education & Labor Committee

Dear Chairman Kildee:

As you begin to frame the discussion regarding the re-authorization of Child Nutrition Programs, I would like to offer some information and some thoughts about the Programs' needs and strengths. As State Director of Child Nutrition Programs at the Vermont Department of Education, I know that these programs are extremely important to the success of schools and day cares in achieving both the educational and health goals they have for children.

I am sure you are familiar with the enormous changes going on within the education system in this country. In Vermont we are working hard to break down the isolation among programs within schools, and between schools and the larger communities. In many ways the state is encouraging greater ties between schools and human service agencies to support the needs of the whole child/whole family to assure educational success. More and more, nutritional services are seen as an integral part of this effort. In the last year we have had a 35% increase in the number of school breakfast programs, in part because of the growing belief in this link. The School Breakfast Start-Up Grants have been vital to this expansion effort since many communities find that there just isn't local tax money available to help make infrastructure improvements needed to implement an additional program. Thus I strongly urge you to make Start-Up funds a part of your re-authorization bill.

Another significant change happening in education is the proliferation of types of schools and the services they provide. Schools are trying to be flexible in meeting student needs whether that is done by developing a middle school, offering summer enrichment programs, changing to year-round schooling, setting up after-school child care or pre-kindergarten programs. In all of these cases the school should be making high quality meals and snacks available to assure the successful achievement of the educational outcomes intended by the new approach. To meet these changes, Child Nutrition Programs must become more coherent, consistent and flexible. Schools and families currently face a maze of paperwork, different applications and different rules for each of the separate nutrition programs they participate in. We have the opportunity in this re-authorization to simplify this complex burden and create a comprehensive school nutrition program that would allow schools to offer meals to all of their students all of the time without all of the paperwork.

While I feel that the idea contained in Senator Leahy's bill eliminating the reduced-price category will be a big help to families, I am very concerned about the idea of it being just for elementary schools. Not only would it be confusing for families to have children qualifying for different benefits, it would also present administrative complexity since school districts have such a range of types of schools. Does elementary mean kindergarten through sixth grade? In Vermont we have elementary schools in some towns that go through 5th grade and middle schools that have grades 6-8, other towns have elementary schools that contain grades 1 through 8, while in other places the 7th and 8th graders attend a junior-senior high school. It seems to me that this would increase inequities among schools in an unintended way.

In many states there currently is a move to reduce regulation and to place less emphasis on "inputs" in order to get schools to focus on the educational outcomes that will show that children have achieved what we want them to know and be able to do. Currently, Child Nutrition Programs' regulations emphasize a meal by meal accountability to such an extent that fully one-half of all paperwork schools have to do is related to the school lunch program. We need to simplify this so that important resources can be devoted to the important task of feeding children rather than completing paperwork. We need to identify the nutritional and program outcomes we want and then ask schools to show how they achieve those outcomes rather than tell them all the processes they must use.

It is crucial that we also find ways to eliminate barriers to participation in the program. In Vermont we serve about 46,000 lunches each day even though there are 94,000 children enrolled in schools with a lunch program. Ours is not a state with extremely high poverty rates in comparison to the national figures. While nationally, half of all school lunches are served to free and reduced price eligible students, in Vermont only about 40% are. But, since the recently released USDA study on nutritional component of school meals showed that school lunches provide the best nutritional choice (compared to home prepared or lunches bought elsewhere), we should be concerned that only about 1/2 of our students are making that choice each day.

One important option to make a significant impact on those participation numbers is to expand the universal meal program option which has been shown to be so successful in the pilot sites now using it.

Finally, we need to acknowledge that even though school lunches are good, on the average they are not good enough. We need to find more effective incentives to encourage schools to implement changes that will assure that meals conform to the Dietary Guidelines For Americans.

The kinds of improvements in Child Nutrition Programs I have described require a more comprehensive approach than just a new pilot project here and a few more funds there. I hope that this re-authorization process can be the one that make significant overall progress towards truly integrating school nutrition programs into the overall educational environment of our nation's schools.

Sincerely,

Josephine Busha

Josephine Busha
State Director
Vermont Child Nutrition Programs

COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION
P.O. BOX 2120
RICHMOND 23216 2120

December 17, 1993

The Honorable Dale Kildee, Chairman,
Subcommittee on Elementary, Secondary
and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

I am writing to share with you the importance of the School Nutrition Programs to Virginia school children. The relationship between nutrition and learning has been demonstrated in several research studies nationally. In Virginia, anecdotal evidence of the breakfast program's importance has been reported when it has been added to a school's programs. Teachers, nurses, and administrators have reported the difference the school breakfast has made in attentiveness, concentration, class performance and reducing stomachaches and headaches in the children.

In Virginia, the number of schools offering the School Breakfast Program has increased significantly over the past six years. At present there are 1290 schools which offer breakfast to students. The Commonwealth of Virginia will require all schools with 25 percent or more free and reduced price meal eligible students to have a school breakfast program effective July 1, 1994.

Eighty-nine schools have received funds from the School Breakfast Start-up Grants over the past five years. Almost all of the funds have been used to purchase equipment to enable schools to purchase, store and prepare food for breakfast. Nearly 50,000 additional children now have access to the breakfast program as a result of these grants.

The National School Lunch Program is offered in 1651 schools with an approximate membership of 900,000 students. Thirty percent of whom are eligible for free or reduced price meal benefits. This percentage has increased each year; however, there is a disturbing trend of high schools no longer offering the federally funded programs for their students. At present, 28 schools in 13 school divisions are no longer providing the benefits of the federally funded program for their students.

Some schools suffer from a customer perception that school meals are not acceptable quality which may or may not be deserved. Efforts are needed to provide food service personnel with the skills to enhance the quality of the products they provide and to communicate or market those meals effectively to students.

Nutritionally inferior food sales compete with the school meals. Much has been said about fat content of school meals; however, students are choosing the nutritionally deficient foods sold in schools over the school menus. This phenomenon needs to be addressed as a "healthy school environment" issue with the expectation that all foods offered in schools reflect the Dietary Guidelines and the Food Guide Pyramid.

In addition to staffing and administrative requirements, significant portions of Virginia State Administrative Expense Funds have been used to provide training for local operators, to develop and implement a marketing program for secondary schools, and to support the commodity food distribution system. These types of activities are provided to assist schools in being more effective and efficient in providing meals for students.

If you or your staff need additional information, please feel free to contact me at (804) 225-2074.

Sincerely,

Jane R. Logan

Jane R. Logan, Ph.D.
Principal Specialist
School Nutrition Programs

SUPERINTENDENT OF PUBLIC INSTRUCTION
JUDITH A. BILLINGS
OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200

December 9, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary, Secondary, and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

Thank you for the opportunity to share the status of the Child Nutrition Programs in Washington State with you and to identify needs which should be addressed during reauthorization of these programs. Following are the major concerns which we have in Washington State.

Child Nutrition Programs

Increased paperwork for local program sponsors as well as state agency personnel is causing each to lose sight of the main purpose of the program, that is, to provide meal service to children to insure that their nutritional needs are adequately met. This is true whether children are in the custodial care of either the local school, a child care center, an after school care facility or summer program sponsor. Many school districts sign three agreements with the state agency, one each to operate the National School Lunch Program (NSLP)/School Breakfast Program (SBP), the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP).

In Washington State this particularly affects after school care provided under the CACFP. While after school snacks are allowed under the NSLP, only one private school participated in both programs prior to April 15, 1989 and is therefore eligible to claim snacks under the NSLP. In other situations, nonschool sponsors sign two agreements, one to operate the CACFP and one to operate the SFSP. Seamless programs are vitally needed. Staff time at both the state and local levels now devoted to voluminous paperwork could be rechanneled to enhance program quality.

Child and Adult Care Food Program

Categorical eligibility for children in child care is now available for those who are members of Food Stamp or aid to families with dependent children (AFDC) households. This has been of some help. However, there is still a great need to make children enrolled in Head Start, or state clones of the Head Start program, categorically eligible for free meals. The amount of money available for Head Start, almost without exception, ensures that only low-income children will be enrolled.

Migrant programs, too, are based on family incomes which in many cases are below the poverty level. A recent directive from the Food and Nutrition Service (CND:119) stated that, ". . . several Federal agencies that work directly with migrants, document to our satisfaction the general poverty of migrant worker families. Therefore, we will no longer require migrant organizations to supply (for the SFSP) income "data" for a particular group of migrants." This benefit needs to be extended to the CACFP.

National School Lunch Program

The NSLP meets a tremendous need of children by getting them ready to learn on a daily basis by providing them with the necessary nutrients and calories needed to be able to pay attention, concentrate and learn. The recent U. S. Department of Agriculture (USDA) study, *The School Nutrition Dietary Assessment Study*, found that, in general students who consume school lunches received the stated goal of one-third of the Recommended Dietary Allowances (RDA) for most nutrients. Lunches consumed by students who purchased a la carte at school, purchased lunch off campus, or brought lunch from home received less than one-third of the RDA for several nutrients and as few as twenty percent of the RDA for some nutrients in the case of a la carte food purchases. This program, however, is perceived as a program for low-income students (see *Washington Perspective*, page 4).

School Breakfast Program

The SBP serves an even greater need by providing nutrients and calories at or near the beginning of the school day. Transient hunger which can be identified by physical symptoms such as stomach pains, headaches, or sleepiness is not related to economic class. All children need to eat as close to the beginning of the school day as possible, on a daily basis, in order to be ready to learn.

The SBP, too, suffers from being perceived as a program for needy children only. Many PTA members who visited our booth at their annual conference were amazed to discover that all children are eligible to eat school prepared meals. School business officials often have this same perception because of the required focus we have on low-income students. A national marketing program or state administrative funds designated for outreach, such as is the case for the Food Stamp program , would help promote the program.

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Summer Food Service Program

Consistency within and between programs, since many are operated by the same people, is absolutely essential. (Seamless programs described previously are preferred.) The SFSP requires that if school meal eligibility is used as the criteria for making an open site eligible, fifty percent of the enrolled children at the school must be eligible for free and reduced price meals. This is inconsistent with the severe need eligibility which is forty percent. Both should be forty percent. It is exceptionally difficult to find summer feeding sites because of lack of transportation and lack of site activities. The eligibility level of fifty percent creates another barrier that should be modified.

Food Distribution Program

The administrative expense funds for this program should be borne by federal funds just as they are in The Emergency Food and Assistance Program (TEFAP). Child Nutrition state administrative expense funds, state moneys, or local program sponsors' funds should not be relied upon to sustain a program initiated by USDA.

Dietary Guidelines for Americans

Baseline data is now available for states and local school districts to begin implementation of the *Dietary Guidelines for Americans*. Technical assistance in the form of training materials, courses and nutrient standard menu planning software will be essential. It is clear looking at local data that it will be more expensive to provide meals which meet the guidelines.

If we are to truly insure that our children's health is well protected, then it is imperative that all food served or sold at school be consistent with the *Dietary Guidelines for Americans*. At the present time food sales selections are, in most states, a local district or school building decision. Guidance is needed nationally from both the departments of education and agriculture.

Funding

Adequate funding is vital to maintain the integrity of the programs. Washington State statistics show that in 1991-92 the average cost to prepare a school lunch was $1.97. Revenue for a free lunch was $1.82 (federal) and $.05 (state) totaling $1.87, the loss to the local school district averaged $.10. The average cost to prepare breakfast was $1.24. The federal reimbursement for a free severe need breakfast was $1.10, the loss to the local school district averaged $.14. The federal reimbursement for a free non-severe need breakfast was $.93, the loss to the local school district averaged $.21. Currently individual school districts together with their school boards keep meal prices as low as possible in an effort to provide affordable meals to all children. At the same time the message they send to the food service department is to "break even." Breaking even is often accomplished at the cost of meal quality or by serving foods which students will eat but which may not be the best choices for them in terms of healthful foods. Increased federal funding is necessary to help districts increase participation in current programs, to add new programs and to enhance meal quality and meet the *Dietary Guidelines for Americans.*

Length of Meal Periods

Adequate time for children to consume lunch or breakfast, with no competing activities such as recess, is vital to insure that meals are eaten. This issue has not been addressed by USDA, nor by the U.S. Department of Education. In many states it is an item of local control and is often left to the discretion of the building principal who has little or no knowledge of the physiology of eating and digestion nor how to maximize the benefits of providing meals to students. Meal period guidelines should be set nationally based on scientific research.

Washington State Perspective

The National School Lunch Program (NSLP) has shown steady growth in Washington; however, participation has not kept pace with enrollment growth. Since 1988, when 1,608 schools participated, an additional one hundred-four (104) schools now participate bringing the total to 95% of schools. However, the statewide rate of student participation is only forty-three percent (43%). This percentage is one percent (1%) less than it was in 1988 and thirteen percent (13%) less than the national average of fifty-six percent (56%).

We are very concerned in Washington State over this trend. The major barrier which has been identified, both locally and nationally, and which undoubtedly contributes to decreased participation is that the lunch program is perceived as one for low-income students. Students and their families are very sensitive to the issue. Both low-income students and students whose family income is above the eligibility scale for low-income meals in Washington State do not participate in the program at the same levels as reported nationally (*The School Nutrition Dietary Assessment Study Summary*, page 7).

This perception is fostered in the minds of administrators, teachers, parents and the community by the extensive application, ticketing and accountability system which currently is nearly the entire focus of the required state agency review and training effort. It is also fostered by the media as a result of required public releases which draw focused attention to the benefits provided to low-income families but seldom families with income above the eligibility guidelines. The low-income perception is fostered by requiring a means of exchange at the point of meal service. It is almost impossible in a large school to avoid identification. If identification is eliminated on the serving line, it often is not when tickets are sold to, or money is collected from above scale students, or when tickets are distributed to low-income students.

The SBP in Washington State continues to grow in numbers of sites due to a state mandate that requires that schools offer a breakfast program if they are eligible to participate in the severe need breakfast program. Since October 1988, 861 schools have added a breakfast program bring the total number of schools offering breakfast to 1257 (70 percent of total schools). Breakfast participation continues to lag behind the national average, again due to the various barriers described previously. This year for the first time the state is contributing approximately $.18 per free and reduced price breakfast served. While the funds are needed, the message is, again, given that breakfast at school is only for needy children.

In summary, the many excellent Child Nutritional Programs are desperately in need of reorganization and refocusing in order to insure that they return to the original mission, that of providing children with quality meals and good nutrition.

Sincerely,

Betty Marcelynas

Betty F. Marcelynas, R.D.
Director
Child Nutrition Section

BFM:cb

WEST VIRGINIA DEPARTMENT OF EDUCATION

Dr. Henry R. Marockie, State Superintendent of Schools
Building 6/1900 Kanawha Blvd. E. Charleston, West Virginia 25305-0330

Phone 304 558 2681
Fax 304 558 0048

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December 9, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on
Elementary, Secondary, and
Vocational Education
House Education and Labor Committee
2339 Rayburn House Office Building
Washington, DC 20515-2207

Dear Congressman Kildee:

Thank you for sponsoring child nutrition legislation, H.R.8, reauthorizing and reforming vital nutrition programs for the nation's public schools.

Based upon the belief that good nutrition enhances learning and the quality of life, the West Virginia Board of Education approved, in February 1993, a comprehensive policy that requires meals in public schools to meet the Dietary Guidelines by 1995, using a progressive, three-tier strategy. Additionally, the policy reflects an integrated approach to ensuring a total school environment that promotes optimal nutrition for students.

In March, 1992, the Washington D.C. based Food Research & Action Center ranked West Virginia first in the nation in school breakfast participation. In a survey conducted by FRAC, 96.4% of the public schools in West Virginia offer the morning meal with almost 23% of all students taking part in the program. In addition, West Virginia had the highest participation rate among low income students at 56.8% for the school breakfast program.

The School Lunch Program in West Virginia provides low cost lunches in 856 public schools, 20 private schools and 49 institutions. The School Breakfast Program provides breakfasts in 857 public and 6 private schools and 49 institutions. The Child and Adult Care Food Program is sponsored by 156 child care agencies and subsidizes meals and snacks in 313 centers and 1026 homes. Nine agencies sponsor adult day care. The Summer Food Service Program provides meals to children in 333 summer programs (73 sponsors). The Special Milk Program provides milk to children in 20 camps, 11 private schools and 7 public school pre-school programs.

Page two
Congressman Kildee
December 9, 1993

Based on current records, West Virginia children receive daily:

180,066	school lunches (56% free and reduced price)
74,103	school breakfasts (76% free and reduced price)
29,819	meals to child care (70% free and reduced price)
10,192	summer meals (100% free)
316	lunches to functionally impaired adults
14,245	1/2 pints extra milk sold

During the school year of 1992-93 child nutrition funds in schools were:

$42,304,556	federal funds
53,500,629	state and local funds
$95,805,185	Total funds

The Nutrition Education and Training Program provides nutrition information to schools and child care institutions and inservice training to food service and teaching personnel. During FY93, this program provided nutrition education experiences for 651 West Virginia teachers, 107 parents and 7,684 students, and in-service training for 1,565 food service personnel.

Continuing and strengthening these programs contribute to optional learning and performance of our nation's children and, ultimately, the results of the public education process. National level public policy needs to be enacted to:

1) Eliminate the requirement for whole milk service in school meals;
2) Strengthen the competetive foods rule;
3) Expand access to the Summer Food Program;
4) Adequately fund the Nutrition Education & Training Program;
5) Increase funding for healthful agricultural products; and
6) Refocus program mission on nutrition quality.

Thank you for the important work you have done and your commitment on behalf of children. Your leadership is valuable to the success of the total educational process.

Sincerely,

Harriet Deel

Dr. Harriet Deel, Director
Office of Child Nutrition

HD/kf

State of Wisconsin
Department of Public Instruction
Mailing Address: P.O. Box 7841, Madison, WI 53707-7841
125 South Webster Street, Madison, WI 53702 (608)266-3390/(608)267-2427 TDD

John T. Benson
State Superintendent

Robert H. Gomoll
Deputy State Superintendent

December 30, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary,
Secondary, and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Congressman Kildee:

Reauthorization of child nutrition programs is an important legislative vehicle which will demonstrate our nation's commitment to children as a national priority. Child nutrition programs contribute to three important agendas. First, the programs combat hunger. It is unconscionable to continue to have hungry, undernourished children in this great country. As a society we can and must ensure that hunger does not plague our youth. Second, nutrition is critical to the health of our children and as delivered through child nutrition programs will significantly contribute as preventive medicine to health care reform. Finally, good nutrition improves academic performance.

In Wisconsin, 407 or 95 percent of public school districts and 431 or 44 percent of private schools participate in the National School Lunch Program. The average daily participation for the 1992-93 school year was 439,525 (45 percent of enrollment). Over 37 percent of the students who eat school lunch are eligible for free or reduced price meals. The School Breakfast Program has 106 or 25 percent of public school districts and 45 or 5 percent of private schools participating. The average daily participation is 24, 642 of which 88 percent of the students who eat school breakfast are eligible for free or reduced price meals. In Wisconsin, the Child and Adult Day Care Food Program reimbursed for meals served in 672 day care centers, 16 adult care centers and 4,360 family day care homes. In 1992-93, the number of meals served respectively were 11.8 million, 129,000 and 10.9 million. Although current legislation greatly limits the availability of the Special Milk Program, over 16.1 million half-pints were served in 1992-93. The Summer Food Service Program for Children in 1993 served 856,844 meals through 43 sponsoring agencies. In 1992-93, the Donated Food Distribution Program provided 30.3 million pounds of commodities to 1,674 agencies. As you can see, the impact is significant, however, we must improve.

The past support you and your colleagues have given child nutrition programs is greatly appreciated. We trust in your leadership as you hold Congressional hearings and develop the final reauthorization bill. Please accept the following recommendations for reauthorization.

Sincerely,

Richard Mortensen
Richard A. Mortensen, Director
Bureau for Food and Nutrition Services

RAM:jem

Enclosure

Recommendations

1994 Reauthorization of Child Nutrition Programs

The premise of the following comments is that we must reduce program complexity and the associated paperwork burden. The programs are operated under detailed, highly prescriptive regulations. The January 5, 1989, Education Daily indicated that 44 percent of all the paperwork imposed on educational institutions by the federal government stems from school nutrition programs. This unnecessarily diverts attention from provision of nutritious meals to paperwork. Past efforts to reduce the paperwork burden as mandated by PL. 101-147 resulted in little change. We must revisit the recommendations in the 1990 Report to Congress on Paperwork Reduction. The paperwork burden can be greatly reduced while maintaining program accountability.

Dr Werner Rogers, President of the Council of Chief State School Officers, elegantly provided the needed future direction of school nutrition regulations in his testimony at the public hearing in Atlanta, Georgia, on October 13, 1993, by saying,

> However, local efforts can be stifled by overly prescriptive rules established by federal and state government agencies. We must not let that happen.
>
> Rather, federal and state agencies together with the leaders of education and agriculture, must all join together in collaboration to assist rather than obstruct local initiatives.
>
> We can provide leadership; we can set broad goals; we can offer incentives; but we must also provide maximum flexibility so that each school district can develop and implement a plan tailored to the specific needs of their community and student population.

National School Lunch Program

1. Coordinated Review Effort (CRE) Regulations

The regulations intensified the paperwork burden. State reviewers have only minimal time to focus on nutrition once the CRE forms are complete. Further aggravating the problem is the adversary relationships between state agencies and schools created by the CRE fiscally punitive system.

It is recommended that the law require either discontinuation of CRE or significant redesign to allow the focus to shift to the Dietary Guidelines for Americans.

2. Universal Feeding

The National School Lunch Act enacted in 1946 states "It is declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children..." It was the intent of Congress to provide nutritious food to all children. States were not required to implement the concept of free and reduced price meals until the early seventies. Perhaps universal is merely asking us to redirect our thinking back to the original intent of the law.

Those opposing universal say it is too expensive. Proponents argue that universal compliments current health care reform and education initiatives. They believe a commitment to children today is far less expensive than paying for long term health care costs associated with poor nutrition. If hungry children cannot learn, they argue that the cost to our nation is staggering in terms of a poorly educated workforce not competing favorable in a global market.

Whether the concept of universal is supported or not, two key issues must prevail. We must reallocate resources from paperwork to implementing the Dietary Guidelines for Americans. Secondly, we must eliminate the identification of low-income students as well as the welfare stigma of the program.

When you introduced H.R. 3580, an option for universal was presented which provides free meals to all grade school children below 185 percent of the poverty level, establishing two income eligibility categories, free and paid. Another option exists that may hasten implementation of the Dietary Guidelines. All legislative reference to free and reduced price meals could be deleted and language added to allow reimbursement only for meals meeting the Dietary Guidelines. In effect, reimbursement would be linked to the provision of nutritious meals not to the poverty guidelines.

If a charge had to be levied to children selecting a meal meeting the Dietary Guidelines, the charge should be nominal (perhaps 25 cents) and the same for all children. Schools could still sell other food items a la carte. The meal meeting the Dietary Guidelines would be a healthy option to all children and the only option supported by USDA reimbursement.

The Surgeon General's Report on Nutrition and Health indicates that at present, dietary fat accounts for 37 percent of the total energy intake of Americans. To allow for a systematic societal change in eating patterns, the law could provide for a gradual reduction in fat and saturated fat in reimbursable meals until the Dietary Guidelines were met. For example, until July 1, 1997, a reimbursable meal must contain 33 percent or less of calories from fat and 12 percent or less of calories from saturated fat. After July 1, 1997, the percents could drop to 30 percent and 10 percent respectively.

3. Paperwork Reduction in the Special Nutrition Programs, USDA's 1990 Report to Congress

The following issues need to be revisited:

a. Until the need for free and reduced-price applications is eliminated, USDA needs to simplify and adjust the application to an appropriate reading level.

b. The procurement threshold of $10,000 should be raised to $50,000 as it relates to competitive sealed bids, competitive or noncompetitive negotiation.

c. The requirement for schools to monitor each school's meal counting and claiming system by February 1 should be deleted. Instead, schools should be required to implement internal controls to ensure the accuracy of meals claimed for reimbursement. USDA needs to develop clear guidance for recommended counting and claiming procedures and internal control systems for school food authorities.

d. The edit check requirement should be eliminated. The school food authority should be required to establish internal controls to ensure accuracy of claims.

e. The verification requirement of free and reduced-price applications should be eliminated. The requirement contributes little to program integrity and is intrusive for applicants.

School Breakfast Program

1. School Breakfast Start-up Grants

Wisconsin has the lowest School Breakfast Program participation rate in the nation. Past grants have encouraged program implementation by helping schools with equipment costs. Continued financial incentive is needed.

2. Severe Need Breakfast

The cost-based accounting requirement should be eliminated. The requirement to determine severe need eligibility upon the second preceding year should be changed to preceding year. The recommended language is: "Schools are eligible for severe need breakfast reimbursement if 40 percent or more of the lunches served to students in the preceding school year were served free or at a reduced price."

With current language, it is presumed that schools are not eligible for severe need breakfast rates if they did not participate in the lunch program in the second preceding year. If this is the intent it should be clearly stated in the law.

Child and Adult Care Food Program

1. Administrative Budget

The requirement for the administrative budget on program applications for day care centers and sponsoring organizations of day care centers should be eliminated. The requirement for administrative budgets for sponsoring organizations of day care homes should be retained.

2. Proprietary Centers

Eligibility for participation of proprietary day care centers should be established using the numbers of participants eligible for free or reduced price meals rather than linking CACFP eligibility to a specific funding source for day care. For example, a proprietary day care center could be deemed eligible if 25 percent or more of the enrolled participants are eligible for free or reduced-price meals.

Summer Food Service Program

1. Reimbursement

Merge the administrative and operating reimbursements into one unified rate.

To encourage participation of rural sponsors, consider establishing a higher unified reimbursement rate for sponsors operating in rural areas. This approach would be preferable to an attempt to address such rural issues as higher transportation costs through more cumbersome, paperwork intensive regulations.

2. Advance Payments

   Revise regulations to permit the option for only a single advance payment to sponsors each summer. The present regulation pertaining to advance payments causes a disincentive for sponsors to submit timely monthly claims and creates situations where programs receive advance payments in excess of earnings.

3. Eligibility

   Reduce the threshold to establish regular site eligibility from 50 percent to 33 percent of the children in the area qualified for free or reduced-price meals.

4. Youth Sports Program

   Meals served during the academic year National Youth Sports Program should be reimbursed at the same rate as meals served during the summer months.

5. State Administrative Expenses

   Increase the administrative payments to state agencies to reflect the actual cost of administering the Summer Food Service Program.

Special Milk Program

Schools should have the option to offer milk to children even if the children have access to the National School Lunch Program or the School Breakfast Program. Local discretion should be allowed so that schools may best meet the nutritional needs of children. Therefore, the requirement limiting the Special Milk Program only to children who do not have access to the National School Lunch or Breakfast Programs should be eliminated.

State Administrative Expense (SAE) Plan

Currently three state plans are required (SAE, Summer Food Service Program and the Nutrition Education and Training Program). State agencies should be allowed the option to combine programs they administer into one plan. This would reduce a significant amount of paperwork associated with approval and would provide a clearer picture of the administration of USDA funded programs.

Comprehensive Child Nutrition Program

It is recommended that a seamless program be created that includes lunch, breakfast, milk, child care, summer food and commodities that requires one agreement, consistent eligibility, consistent reimbursement rates and consistent meal components and quantities.

Nutrition Education and Training (NET) Program

1. Fully Fund

Nutrition education stressing the Dietary Guidelines needs to be an integral component of education linking to behavioral change in the cafeteria. NET needs to be expanded to reach more children and their families with nutrition information. It is recommended that NET be fully funded at the statutory level of 50 cents per child.

2. Carry-over

Unobligated NET funds should be available for use during the year following federal allocation. This would equate the financial management of the NET program to other child nutrition programs and would enhance the opportunity for completion of long-range projects.

3. Permanently Authorize

The NET Program should be permanently authorized.

Food Distribution Program (FDP)

1. Permanently Authorize

The program has been in existence since 1946 and has become an integral part of the National School Lunch Program. The FDP should be permanently authorized to facilitate better planning at the federal, state and local levels. The current five-year authorization period interjects an unnecessary uncertainty when executing contracts for storage and delivery.

2. State Administrative Expense

Program administration is primarily funded through fees charged to schools and institutions for storage and handling services. USDA provides only a minuscule amount of federal funds for food distribution activities. It is recommended that a separate state administrative expense account be established equal to 2 percent of the commodity value allocated to each state. Food distribution administration should not be funded from current administrative entitlements since such funds are fully committed to administer the other child nutrition programs.

Diana J. Ohman
Superintendent of Public Instruction
State of Wyoming Department of Education
307/777-7675
307/777-6234 FAX
Hathaway Building, Second Floor ● 2300 Capitol Avenue ● Cheyenne, WY 82002-0050

December 10, 1993

The Honorable Dale Kildee
Chairman, Subcommittee on Elementary,
Secondary and Vocational Education
House Education and Labor Committee
2239 Rayburn House Office Building
Washington, D.C. 20515-2207

Dear Mr. Kildee:

As the Subcommittee on Elementary, Secondary and Vocational Education begins working on reauthorization of the expiring Child Nutrition Programs, I would like to take the opportunity to address a few of the issues which your Committee will be deliberating.

I appreciate the support you and your Committee have provided for the Child Nutrition Programs. The National School Lunch Program operates in every public school district in the state of Wyoming and is an integral part of the educational services provided in our schools.

We are particularly pleased with the School Breakfast Program expansion we are experiencing in Wyoming. By the end of this school year, school breakfast will be available to 48 percent of the children attending our schools, up from 24 percent in school year 1990-91. It should be noted that this expansion occurred during a period of declining educational funding in this state and was made possible largely because of the availability of the School Breakfast Program start-up grants.

The recent emphasis on implementing the Dietary Guidelines in the Child Nutrition Programs is certainly appropriate and a goal we should all be working towards. The majority of school districts in Wyoming received training on the guidelines this past summer, and several are attempting to put their training into practice this school year.

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However, there are many obstacles our schools face in serving meals which provide less than 30 percent of their calories from fat. The biggest of these is student acceptance. This is to be expected, as most children are used to a diet which is much higher in fat. As pointed out in both the Surgeon General's Report on Nutrition and Health and USDA's School Nutrition Dietary Assessment Study, the average American's diet contains approximately 38 percent of calories from fat.

The challenge, then, is to change our children's attitudes about food and to develop in them an understanding of good nutrition and the role it plays in their long-term health. This is a major undertaking, which will require a long-term approach. In my opinion, to establish a requirement, either legislative or regulatory, that school meals immediately adhere to the Dietary Guidelines would be counterproductive. It would result in a significant drop in student participation and the loss of many schools from the Child Nutrition Programs, denying the opportunity for a nutritious school meal to an even greater number of this nation's children.

If we are going to change the attitudes and eating habits of our children, then nutrition education must become a priority and must be adequately funded. In developing a funding formula, a minimum grant level needs to be established which is sufficient to fund a viable Nutrition Education and Training Program in the less populated states, such as Wyoming. That level should be high enough to fund both program activities and a staff person to administer the program. I would recommend that consideration also be given to making funds available through the U.S. Department of Education to promote nutrition education in teacher training and recertification programs.

Implementing the Dietary Guidelines will bring about some major changes in the way school meals are planned and produced. It is very important, then, that school food service personnel are adequately trained and receive adequate technical support. USDA needs to be tasked to provide comprehensive training packages covering areas such as menu planning, food preparation techniques, purchasing, budgeting, etc. This training needs to be oriented toward the average school, which does not have the resources to maintain an in-house training program. The Department should also set up and maintain a national nutrient data base to support nutrient standard menu planning. In addition, USDA needs to update its standard recipe cards to reflect the Dietary Guidelines.

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If we are to truly succeed in implementing the Dietary Guidelines in the Child Nutrition Programs, we must also change the way they are administered. We must stop micro-managing programs from the federal level and concentrate on providing support for program improvement. We must reduce the level of paperwork in these programs. And, we must shift our emphasis from punitive, bureaucratic monitoring systems to training and education. If ever there was a federal program which should be a candidate for elimination as we "reinvent government," it is USDA's Coordinated Review Effort.

Finally, I would recommend that the minimum state administrative expense grant level under Section 7(a)(2) of the Child Nutrition Act of 1966 be increased from $100,000 to $250,000. The cost of administering the Child Nutrition Programs has increased significantly over the past decade. This has impacted most heavily on the minimum grant states because of the limited funding they receive. Increasing the minimum grant level will address that inequity and allow more resources to be applied to training and program improvement efforts in these states.

I appreciate this opportunity to address my concerns to your Committee and wish to again thank you for your continued support of the Child Nutrition Programs.

Sincerely,

Michael R. Smith

Michael R. Smith, Director
Nutrition Programs

MRS/pmf

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APPENDIX E

Child Nutrition Programs: Selected References, 1988-1993

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Database Search
by
Charles Dove

March 10, 1993

CRS

Library Services Division

Congressional Research Service

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